This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

3 3433 08183095 6

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

MIDDLESEX COUNTY MANUAL.

PUBLISHED BY THE
PENHALLOW PRINTING COMPANY, 12 MIDDLE ST.
LOWELL, MASS.
1878.

IQH
(Middlesex

Digitized by Google

THE NEW YORK
PUBLIC LIBRARY
213051
ASTOR, LENOX AND
TILDEN FOUNDATIONS
1901

Entered according to act of Congress, in the year 1878, by the Penhallow Printing Company, in the Clerk's office of the District Court of the District of Massachusetts.

Digitized by Google

PREFACE.

We take pleasure in presenting to our readers the MIDDLESEX COUNTY MANUAL.

Judge Cowley's "Historical Sketch" traces the fortunes of the County from its incorporation in 1643, when it extended to the "South Sea," and included large portions of New Hampshire and Connecticut, as well as of Massachusetts, until since the adoption of the Federal Constitution, and the close of Shays' Rebellion. It is the first history of Middlesex County ever printed.

In it Judge Cowley has incorporated the principal and most valuable portions of both of General Gookin's works: namely, his Historical Collections relating to the New England Indians generally; and his History of the Christian Indians during King Philip's War. Both of these narratives are dificult to obtain. We have known as much as ten dollars to be paid for

Digitized by Google

the volume containing the former of these works, and even a greater price for the volume containing the latter. One might watch the chances of the booksellers for many years to obtain, for *twenty dollars*, the narratives here supplied, in all their most desirable parts, for a single dollar.

In addition to all this Judge Cowley has enriched his "Sketch" with much new matter, and with notes and references to original authorities.

Mr. Johnson's labors in the Committee on County Expenditures have enabled him to present a valuable summary of the frauds and abuses heretofore practiced in County affairs, and to show how they have been or may be reformed.

Since Mr. Johnson's article was prepared, the Legislative Committee on Prisons have made a report on the Middlesex House of Correction, from which it appears that that establishment now actually yields a small income to the County, instead of being the public burden it was before the investigations of 1874; although Charles J. Adams has been permitted to remain in his place as Master.

This Committee say:—"In 1877 the receipt from the sale of brushes was $24,000; and for board of prisoners, sale of old materials, offal, &c.,

Digitized by Google

$4,893.84; total, $28,893.84. The total expenses of Jail and House of Correction were $28,-521.70, leaving a balance of receipts over expenditures of $372,14."

Others besides Mr. Johnson would like to be informed why an establishment that can be so conducted as to yield an income to the County in the worst of times, could not yield an income, but was actually run at a heavy loss, when the times were the best ever known in the land.

It will be seen that the income above reported, when divided by the number of inmates (285) amounts to $1.30 apiece. Mr. Johnson thinks this much smaller than it should be. Ought not an able bodied prisoner to earn more than $1.30 in a year, besides his board and clothes? Mr. Johnson says, he ought.

We had hoped to add another valuable contribution, on the "Old Families of Middlesex," from the practiced pen of the late John Wingate Thornton, author of "Roger Conant and Cape Ann," and other works of acknowledged merit, and himself a noble scion of two of those families. But his recent lamented death, before preparing his article, compels us to omit those pages (111–116,) in which we

Digitized by Google

hoped to see the "Old Families of Middlesex" "live again."

County publications, in a great number and variety, are noticed by various writers, in a manner at once critical and interesting.

Lists of County officers have been compiled with an amount of labor of which the average reader can form no adequate idea.

LOWELL, July 4th, 1878.

PENHALLOW PRINTING COMPANY.

Digitized by Google

CONTENTS.

HISTORICAL SKETCH OF THE COUNTY. - 13

FINANCIAL REFORMS IN THE COUNTY. - 81

RECONSTRUCTION OF THE COUNTY. - - 93

CIVIL LIST OF THE COUNTY. - - - 103

ADVERTISEMENTS. - - - - - - - - 117

NEW COUNTY PUBLICATIONS. - - - - 123

Digitized by Google

Digitized by Google

HISTORICAL SKETCH

OF THE

COUNTY OF MIDDLESEX.

The year 1643 was signalized by two important events in the history of Massachusetts: —the formation of the famous confederacy between this Colony and the three other Colonies of New England; and the creation of the four Counties of Middlesex, Essex, Norfolk and Suffolk. The tide of immigration from England to Massachusetts, which ran without interruption from 1630 to 1640, had substantially ceased to flow. About four thousand English families, including more than twenty thousand persons, were then domiciled on the rugged shores of New England. Since then, "more persons have removed out of New England to other parts of the world than have come from other parts to

Digitized by Google

it."* The white population of the "Bay Colony," as Massachusetts was called, was then about fifteen thousand souls.

The chief cause of this discontinuance of immigration was undoutedly the English Civil War. So long as the contest between Charles the First and the champions of popular government was a war of words merely, every ship that entered Massachusetts Bay brought her quota of adventurous immigrants. But as soon as that struggle was transferred from the halls of Westminster and Oxford to the battle-fields of Newbury and Chalgrove, Marston Moor and Edgehill, no Englishman that had a heart could think of leaving the shores of his native land. Some of those who had settled in Massachusetts, returned to England to stay—such as the Rev. Hugh Peters and Sir Henry Vane—and bore an honorable part in the war which saved the English Constitution from the fate which overthrew all the other Constitutions of Europe. Vane ana Peters both perished on the scaffold.

It is interesting to notice with what intense anxiety the first settlers of Middlesex and the other Colonial Counties watched from afar that

*So wrote Governor Hutchinson in his History of Massachusetts, vol. 1, p. 91; and from his time to ours the same fact has continued

Digitized by Google

sanguinary struggle. In turning over the second, third and fourth volumes of Massachusetts Colony Records, I find that between July 21, 1642, and May 31, 1660, no less than twenty separate days were set apart for fasting humiliation and prayer, in which "the distractions of our native land," "the present sad and deplorable condition of our dear native country," etc., were specially remembered. So, when the Parliamentary forces won any signal victory over those of the King, days were set apart in Massachusetts for thanksgiving and praise.

The act creating the County of Middlesex was passed by the General Court on the tenth day of May, 1643, and is a model of brevity and comprehensiveness. It simply says, "The whole plantation in this jurisdiction is divided into four shires;" names them, as Middlesex, Essex, Norfolk and Suffolk; and then gives the names of the towns which they are to include.

The same page which contains this record, contains one of those orders to which I just now referred, for "a day of publique humiliation for the sad condition of our native country."*

Thus we see that while they were passing the most important measures of Colonial legislation, and creating Counties that might endure

*Massachusetts Colony Records, vol. 2, p. 38.

Digitized by Google

as long as the Merrimack and the Blackstone flow singing to the sea, their hearts untravelled fondly turned to the land where Cromwell's Ironsides were hurling back Prince Rupert's Cavalry, and filling Europe with the fame of soldiers who trusted in God and kept their powder dry.

The institutions and social condition of the Colonies had, as Dr. Palfrey remarks, taken a definite shape; and at this point, accordingly, he pauses, and pictures to us in vivid colors that primitive system of society which has influenced so largely the character and fortunes of all the later generations of New England life.*

The General Court, then composed of Assistants and Deputies as now it is composed of Senators and Representatives, had assumed the fixed character which it still retains. Originally it consisted of the Assistants and all Freemen of the Colony; but it had then come to be a representative body, as now. At first all the members sat in one chamber, like the Parliament of Scotland, the City Council of London, and the Legislative Assembly of France; but in 1643 it had assumed the fixed form of a two-chamber body, as now.

The theory on which the government was established, was not Democratic, but Theocra-

*Palfrey's History of New England, vol. 2, chap. 1.

Digitized by Google

tic.* The suffrage was limited to church members; and the voters, or freemen, were "not more than one-fifth part of the grown men."† Thus was the suffrage restricted in 1631; and in 1660, when some of the inhabitants of Middlesex brought this subject anew to the attention of the General Court, it was ordered "that no man whosoever shall be admitted to the freedom of this body politic but such as are members of some church of Christ (*i. e.* some Congregational Church) and in full communion."‡

The Church, then, was rather the creator than the creature of the State. Excommunication from the Church meant banishment from the Colony.

How complete was the control of the Church over the State and its members may be seen from the experiences of Captain John Underhill, as recorded by Governor Winthrop:—

"Capt. Underhill, being struck with horror and remorse for his offences, both against the church and civil state, could have no rest till he

---

*Hence Whittier applauds Samuel Sewall, one of the Judges who condemned the witches, and afterwards publicly confessed his error in the Old South Church:—

"Green forever the memory be
Of the Judge of the old Theocracy."

†Palfrey's History of New England, vol. 3, p. 135.

‡Massachusetts Colony Records, vol. 4, p. 420.

Digitized by Google

had obtained a safe conduct to come and give satisfaction; and accordingly, at a lecture at Boston, (it being then the court time,) he made a public confession both of his living in adultery with Faber's wife, (upon suspicion whereof the church had before admonished him,) and attempting the like with another woman, and also the injury he had done to our state, &c. and acknowledged the justice of the court in their proceeding against him.

He came at the time of the court of assistants; and upon the lecture day, after sermon, the pastor called him forth and declared the occasion, and then gave him leave to speak: and indeed it was a spectacle which caused many weeping eyes, though it offered matter of much rejoicing to behold the power of the Lord Jesus in his own ordinances, when they are dispensed in his own way, holding forth the authority of his regal sceptre in the simplicity of the gospel. He came in his worst clothes (being accustomed to take great pride in his bravery and neatness) without a band, in a foul linen cap pulled close to his eyes; and standing upon a form, he did, with many deep sighs and abundance of tears, lay open his wicked course, his adultery, his hypocrisy, his persecution of God's people here, and especially his pride (as the root of all, which caused God to give him over to his other sinful courses) and contempt of magistrates. He justified God and the church and the court in all that had been inflicted on him. He declared what power Satan had of him since the casting out of the church; how his pre-

Digitized by Google

sumptuous laying hold of mercy and pardon, before God gave it, did then fail him when the terrors of God came upon him, so as he could have no rest, nor could see any issue but utter dispair, which had put him divers times upon resolutions of destroying himself, had not the Lord in mercy prevented him, even when his sword was ready to have done the execution. Many fearful temptations he met with beside, and in all these his heart shut up in hardness and impenitency as the bondslave of Satan, till the Lord, after a long time and great afflictions, had broken his heart, and brought him to humble himself before him night and day with prayers and tears till his strength was wasted; and indeed he appeared as a man worn out with sorrow, and yet he could find no peace, therefore he was now come to seek it in this ordinance of God. He spake well, save that his blubbering &c. interrupted him, and all along he discovered a broken and melting heart, and gave good exhortations to take heed of such vanities and beginnings of evil as had occasioned his fall; and in the end he earnestly and humbly besought the church to have compassion of him, and to deliver him out of the hands of Satan. So accordingly he was received into the church again; and after he came into the court, (for the general court began soon after) and made confession of his sin against them &c. and desired pardon, which the court freely granted him so far as concerned their private judgment. But for his adultery they could not pardon that for example sake, nor would restore him to

Digitized by Google

freedom, though they released his banishment, and declared the former law against adultery to be of no force; so as there was no law now to touch his life, for the new law against adultery was made since his fact committed. He confessed also in the congregation that though he was very familiar with that woman, and had gained her affection &c. yet she withstood his solicitations six months (which he thought no woman could have resisted) before he could overcome her chastity, but being once overcome, she was wholly at his will. And to make his peace the more sound, he went to her husband (being a cooper) and fell upon his knees before him in the presence of some of the elders and others, and confessed the wrong he had done him, and besought him to forgive him, which he did very freely, and in testimony thereof he sent the captain's wife a token.*"

To such discipline did this old Puritan captain submit, who had served in the English army in the Netherlands, in Spain, and in Ireland, and who had also borne a distinguished part in the Pequot War in Connecticut.

Did not Hawthorne, in this affair of Underhill, find the germ of one of the most dramatic incidents in his "Scarlet Letter?" Not in the

*Winthrop's History of New England, vol. 1, p. 326, vol. 2, pp. 13-15. See also Famous Divorces of All Ages, by Charles Cowley, of the Middlesex Bar, pp. 85–89. Published by the Penhallow Printing Company, Lowell.

Digitized by Google

the Rev. John Cotton, but in Captain John Underhill, must we look, as I think, for the original of the Rev. Arthur Dimmesdale.

However this may be, Captain Underhill afterwards removed to the Dutch settlement on Long Island. There he "sobered down into a respectable Burgomaster," and died in peace at the last.

The County of Middlesex, when first established, contained eight towns—Charlestown, Cambridge, Watertown, Sudbury, Concord, Woburn, Medford and Reading. Each of these towns then covered a much larger area of territory than now; and the magistrates of Middlesex exercised jurisdiction as occasion required as far North as the White Mountains, and as far West as the Connecticut River.

Many will learn with surprise that so much of Lowell as lies on the right bank of the Merrimack, was once a part of Cambridge, but such is the fact. Ancient Cambridge included all the lands between the Charles and the Shawshine—between the Shawshine and the Concord —and between the Concord and the Merrimack.

Commissioners, appointed by the General Court, in 1639, explored the Merrimack River as far North as where Franklin now stands; and Darby Field, an adventurous settler from the

Digitized by Google

North of Ireland, made the first ascent of the White Mountains in 1642.

The first and by far the most important institutions in the new jurisdictions were the County Courts. These were held at first by the Assistants, so called, who combined the functions now performed by the Executive Council and the Senate, with the powers of Judges of the higher Courts, and the County Commissioners. But it was afterwards provided that they should be held by the Assistants who lived in the County, or any others "that would attend, together with such other persons as the freemen of the County, four times a year, should nominate, and the General Court approve of, so as to make five in all, any three to hold a Court. They had the power to determine all civil causes and all criminal, the penalty not extending to life, member, or banishment. Grand and petit juries were summoned to attend them. Appeals from them lay to the Court of Assistants, and from them to the General Court."*

*Hutchinson's History of Mass., vol. 1, p. 397; Mass. Col. Rec., vol. 3, p. 325. Dr. Palfrey says "these Courts had jurisdiction in cases of Divorce." History of New England, vol 2, p. 17. But I find no record of any decree of divorce either from bed and board or from the bond of matrimony, under the Colony Charter. The Court of Assistants however had the power of divorce.

Digitized by Google

The County Courts were held four times a year—twice in Charlestown and twice in Cambridge. Among their many duties were those of granting licences tc inn-keepers and common victualers, and of assessing negligent towns for the maintenence of ministers.

When it was proposed, some years ago, to amend the Constitution so as to make the Judges of our Courts elective by the people, many cried against it as a most dangerous innovation. But the fact is, that the County Courts of Massachusetts were filled by popular election from the early days of the Colonial Charter until that Charter was vacated by a decree in Chancery in England, June 18, 1684. But if other states have followed the example of Massachusetts, by introducing elective Judges, it is to be hoped that they will also follow her example by adopting some better mode of filling the bench of Justice than the chance-medley of the caucus.

Middlesex County contained portions of two of the five leagues of Indians, whom De Monts found in New England in 1604. The valley of the Merrimack and its tributaries was sparsely peopled by the Pawtuckets or Pennacooks, under Passaconaway. The Southern portion of the County was occupied by the

Digitized by Google

Massachusetts tribe, which included the Nipmucks of the West as far as Connecticut.*

One of the first acts of the General Court touching the Counties, was an order, passed November 13, 1644, "that the County Courts in this jurisdiction shall take care that the Indians residing in the several shires shall be civilized, and they shall have power to take order from time to time to have them instructed in the knowledge and worship of God."

On the twenty-ninth of May, 1644, Passaconaway appeared before the General Court at Boston, and formally submitted to the Colonial authorities.† The terms of the act of submission, to which, at different times, the various Indian chiefs of the Colony affixed their marks, were as follows:—"We have and by these presents do, voluntarily and without any constraint or persuasion, but of our own free motion, put ourselves, our subjects, lands and estates under the government and jurisdiction of the Massachusetts, to be governed and pro-

*See Memories of the Indians and Pioneers of the Region of Lowell, by Charles Cowley.

†The date of this event is differently stated in Massachusetts Archives, vol. 30, p. 3, and in Winthrop's History of New England, vol. 2, pp. 166, 214. But I follow Massachusetts Colony Records, vol. 2, p. 73.

Digitized by Google

tected by them, according to their just laws and orders, so far as we shall be made capable of understanding them: and we do promise for ourselves and our subjects, and all our posterity to be true and faithful to the said government, and aiding to the maintenance thereof to our best ability, and from time to time to give speedy notice of any conspiracy, attempt, or evil intention of any which we shall know or hear of against the same: and we do promise to be willing, from time to time, to be instructed in the knowledge and worship of God."

In a note to Governor Winthrop's History, Mr. Savage says:— "We may rejoice in the benevolence, which attempted the civilization and conversion to Christianity of these Indians, and certainly must honour the government, whose liberal treaty with their confederates is so diverse from the usual terms of stipulation with the natives; but it may be feared, that there was too much human policy at work in obtaining their *subjection.*"

The County of Middlesex was but three years old when the Rev. John Eliot commenced those Christ-like labors among the ruins of the red men, which have won for him the name of the Apostle to the Indians. It has often been stated that he began this missionary work at

Digitized by Google

Newton on the twenty-eighth of October 1646; but others date it from a visit, six weeks earlier, to the wigwam of the sachem, Cutshamekin, at Dorchester Mill, now, I believe, in Milton. As early as 1647, Eliot reported the work of *civilizing* the Indians, (which he regarded as inseparable from the work of converting them to Christianity,) as successfully begun at Newton, Concord and Lowell.

On the twenty-sixth day of May, 1647, the General Court established monthly courts in those villages which were visited by Eliot or the other Indian missionaries; and the chiefs were constituted judges, for the trial of petty causes, both civil and criminal; their powers being substantially the same as those of justices of the peace. An Indian constabulary was also established, to serve warrants and summonses, and execute the orders and judgments of these Indian courts. Once in three months, one of the magistrates of the Colony and the Indian chiefs held a County Court for the Indians.*

In 1656, Daniel Gookin, one of the Assistants, was appointed Superintendent of all those Indians who had submitted to the English jurisdiction. This office, filled for many years by Gookin, and by others, was continued until the number of Massachusetts Indians had dwindled into insignificance.

Digitized by Google

Middlesex County having been one of the principal theatres of these attempts to civilize the Indians, it is proper to introduce here the following portions of the seventh chapter of Gookin's Historical Collections of the Indians, which, though printed in 1792, have had but little circulation among the great body of the people. General Gookin wrote in 1674, when the work of Eliot and himself had attained all the success which was vouchsafed to it. There were then under Eliot's supervision fourteen "praying Indian towns," including eleven hundred souls, and two Indian churches, as General Gookin's narrative will now show. It will be seen that the style of this Puritan Saint was one of peculiar felicity, reminding the reader of the grace with which Blackstone, nearly a century later, wrote his celebrated Commentaries.

§. 1. The first town of praying Indians in Massachusetts is Natick. The name signifieth a place of hills. It lieth upon the Charles River, eighteen miles south-west from Boston, and ten miles north-west from Dedham. It hath twenty-nine families, which, computing five persons to a family, amount to one hundred and forty-five persons. The town contains about six thousand acres. The soil is good and well watered, and produceth plenty of grain and fruit. The land was granted to the Indians, at the motion of Mr. Eliot, by the General Court of

Digitized by Google

Massachusetts; and in the year 1651, a number of them combined together, and formed a town, which is the place of the greatest name among the Indians,* and where their principal courts are held.

As soon as the Indians had fixed their settlement, they applied to Mr. Eliot for a form of civil government; and he advised them to adopt that which Jethro proposed to Moses for the Israelites in the wilderness, Exod. xviii. 21. Accordingly, on the sixth of August, about one hundred of them met together, and chose one ruler of a hundred, two rulers of fifties, and ten rulers of tens. After this they entered into the following covenant.

"We are the sons of Adam. We and our forefathers have a long time been lost in our sins; but now the mercy of the Lord beginneth to find us out again. Therefore, the grace of Christ helping us, we do give ourselves and our children to God, to be his people. He shall rule us in all our affairs, not only in our religion and affairs of the church, but also in all our works and affairs in this world. God shall rule over us. The Lord is our jndge; the Lord is our lawgiver; the Lord is our king; he will save us. The wisdom which God hath taught us in his book, that shall guide us, and direct us in the way. O Jehovah, teach us wisdom to find out thy wisdom in the Scriptures. Let the grace of Christ help us, because Christ is the wisdom of God. Send thy spirit into our hearts, and let it teach us. Lord, take us to be thy people, and let us take thee to be our God."

*Massachusetts Colony Records, vol. 3, p. 246; vol. 4, pp. 112, 334; vol. 5, 227.

Digitized by Google

§. 2. This town consisteth of three long streets; two on the north side of the river; and one, on the south; with house lots to every family. There is a handsome large fort, of a round figure, palisaded with trees; and a foot-bridge over the river, in form of an arch, the foundation of which is secured with stone. There is also one large house built after the English manner. The lower room is a large hall, which serves for a meeting-house, on the Lord's day, and a school-house on the week days. The upper room is a kind of wardrobe, where the Indians hang up their skins, and other things of value. In a corner of this room Mr. Eliot has an apartment partitioned off, with a bed and bedstead in it.* The other houses in this town are generally after their old mode before described; though some they have built in this and other of the praying villages, after the English form. But these being more chargeable to build and not so warm, and cannot be removed so easily as their wigwams, wherein there is not a nail used, to avoid annoyance by fleas, and themselves being generally artists in building and furnishing their own wigwams: for these and like reasons, they do incline to keep their old fashioned houses.

§. 3. In this town was the first church of Indians imbodied, in the year of our Lord 1660. Unto this

*The preceding portion of this chapter was prepared by the Committee that edited Gookin's narrative for the Massachusetts Historical Society, to supply the place of a lost leaf in the original manuscript. These foot notes are mine.

Digitized by Google

church* some pious Indians of other places, both men and women, are since joined. * * *

There are many Indians that live among those that have subjected to the gospel, that are catechised, do attend public worship, read the scriptures, pray in their family morning and evening; but being not yet come so far, as to be able or willing to profess their faith in Christ, and yield obedience and subjection unto him in his church, are not admitted to partake in the ordinances of God, proper and peculiar to the church of Christ, which is a garden enclosed, as the Scripture saith.

§. 4. The manner practiced by these Indians in the worship of God, is thus. Upon the Lord's days, fast days, and lecture days, the people assemble together at the sound of a drum, when one of their teachers, if they have more than one, begins with solemn and affectionate prayer. Then, after a short pause, either himself or some other thereunto appointed, readeth a chapter distinctly out of the old or new testament. At the conclusion thereof a psalm, or part of a psalm, is appointed, rehearsed, and solemnly sung. Then the minister catechises and prays before his sermon; and so preacheth from some text of Scripture. Then concludeth with prayer, and a psalm, and a blessing pronounced. Sometime, instead of reading the chapter, some persons do answer some parts of the catechism

*Governor Hutchinson says that in 1670 there were between forty and fifty communicants in this church. History of Massachusetts, vol. 1, page 156, note.

Digitized by Google

In all these acts of worship, (for I have been often present with them,) they demean themselves visibly with reverence, attention, modesty and solemnity; the menkind sitting by themselves* and the womenkind by themselves, according to their age, quality, and degree, in a comely manner. And for my own part, I have no doubt, but am fully satisfied, according to the judgment of charity, that divers of them do fear God and are true believers; but yet I will not deny but that there may be some of them hypocrites, that profess religion, and yet are not sound hearted. But things that are secret belong to God; and things that are revealed, unto us and our children.

§. 5. Their teachers are generally chosen from among themselves,—except some few English teachers,—of the most pious and devout men among them. If these did not supply, they would generally be destitute. * * From this church and town of Natick hath issued forth, as from a seminary of virtue and piety, divers teachers that are employed in several new praying towns; of which we shall hear more, God willing, hereafter.

In this town they have residing some of their principal rulers, the chief whereof is named Waban, who is now above seventy years of age. He is a person of great prudence and piety: I do not know any Indian that excels him. Other rulers there are living there, as Nattous and Piam Boohan, and

*Such was the ancient Jewish custom.

Digitized by Google

others. These are good men and prudent, but inferior to the first. The teachers of this town are Anthony and John Speen, which are grave and pious men. They have two constables belonging to this place, chosen yearly; and there is a marshal-general belonging to all the praying Indian towns, called Captain Josiah, or Pennahannit. He doth attend the chief courts kept here, but he dwells at another place, called Nashobah.

I have been the larger in speaking of this place, because it is the chiefest town and eldest church; and what is said of this doth agree to all the rest in divers things.

§. 6. The next town is Pakemit, or Punkapog.* The signification of this name is taken from a spring, that ariseth out of red earth. This town is situated south from Boston, about fourteen miles. There is a great mountain, called the Blue Hill, lieth north-east from it about two miles: and the town of Dedham, about three miles north-west from it. This is a small town, and hath not above twelve families in it; and so about sixty souls. This is the second praying town. The Indians that settled here, re-

*Massachusetts Colony Records, vol. 4, p. 334. Punkapog is now in Stoughton. It was the only town of Eliot's converts which was not within the jurisdiction of this County. From 1643 to 1793 it formed part of Suffolk County. Since the present County of Norfolk was created in 1793, (the old County of that name lying North of the Merrimack having ceased to exist in 1680,) it has been in Norfolk County.

Digitized by Google

moved from Neponsit mill. The quantity of land belonging to this village, is about six thousand acres; and some of it is fertile, but not generally so good as in other towns. Here they worship God, and keep the Sabbath, in the same manner as is done at Natick, before declared. They have a ruler, a constable, and a school-master. Their ruler's name is Ahawton; an old and faithful friend to the English. Their teacher is William Ahawton, his son; an ingenious person and pious man, and of good parts. Here was a very able teacher, who died about three years since. His name was William Awinian. He was a very knowing person, and of great ability, and of genteel deportment, and spoke very good English. His death was a very great rebuke to this place. This town hath within this ten years, lost by death several honest and able men; and some have turned apostates, and removed from them: which dispensations of God have greatly damped the flourishing condition of this place. Here it was that Mr. John Eliot, junior, before mentioned, preached a lecture once a fortnight, for sundry years, until his decease. In this village, besides their planting and keeping cattle and swine, and fishing in good ponds, and upon Neponsit River which lieth near them; they are also advantaged by a large cedar swamp; wherein such as are laborious and diligent, do get many a pound, by cutting and preparing cedar shingles and clapboards, which sell well at Boston and other English towns adjacent.

§. 7. Hassanamesit is the third town of praying Indians. The name signifieth a place of

Digitized by Google

small stones. This place lieth about thirty-eight miles from Boston, west-southerly; and is about two miles to the eastward of Nipmuck River;* and near unto the old road way to Connecticut. It hath not above twelve families; and so, according to our computation, about sixty souls; but is capable to receive hundreds, as generally the other villages are, if it shall please God to multiply them. The dimensions of this town is four miles square; and so about eight thousand acres of land. This village is not inferior unto any of the Indian plantations for rich land and plenty of meadow, being well tempered and watered. It produceth plenty of corn, grain and fruit; for there are several good orchards in this place. It is an apt place for keeping of cattle and swine; in which respect this people are the best stored of any Indian town of their size. Their ruler is named Anaweakin; a sober and discreet man. Their teacher's name is Tackuppa-willin, his brother; a pious and able man, and apt to teach. Their aged father, whose name I remember not, is a grave and sober christian, and deacon of the church. They have a brother that lives in the town, called James, that was bred among the English, and employed as a press-man in printing the Indian Bible; who can read well, and, as I take it, write also. The father, mother, brothers, and their wives, are all reputed pious persons, and the principal studs of the town. Here they have a meeting-house for the worship of

*Blackstone River.

Digitized by Google.

God after the English fashion of building, and two or three other houses after the same mode; but they fancy not greatly to live in them. Their way of living is by husbandry, and keeping cattle and swine; wherein they do as well, or rather better, than any other Indians, but yet are very far short of the English both in diligence and providence. In this town was the second Indian church gathered, about three years since, in summer, 1671. The pastor of this church, is Tackuppa-willin; the ruling elder, Piambow; the deacon, father to the pastor. There are in full communion in this church, and living in the town, about sixteen men and women, and about thirty baptized persons; but there are several others, members of the church, that live in other places. This is a hopeful plantation. The Lord give his blessing to it. The way of their worship and civil order, is here as in other Indian towns before mentioned.*

§. 8. Okommakamesit,† alias Marlborough, is situated about twelve miles north-north-east from Hassanamesit, about thirty miles from Boston westerly. This village contains about ten families, and conse-

*Massachusetts Colony Records, vol. 4, pp. 192, 348. The town of Grafton includes Hassanamesit. In 1731. this and much other territory of ancient Middlesex was set off to form the County of Worcester. It was incorporated as a town in 1735.

†Massachusetts Colony Records, vol. 4, pp. 192, 317, 348, 363. The town of Hudson embraces part of this territory.

Digitized by Google

quently about fifty souls. The quantity of land appertaining to it is six thousand acres. It is much of it good land, and yieldeth plenty of corn, being well husbanded. It is sufficiently stored with meadow, and is well wooded and watered. It hath several good orchards upon it, planted by the Indians: and is in itself a very good plantation. This town doth join so near to the English of Marlborough, that it was spoken of David in type, and our Lord Jesus Christ, the antitype, *Under his shadow ye shall rejoice:* but the Indians here do not much rejoice under the English men's shadow; who do so overtop them in their number of people, stocks of cattle, &c. that the Indians do not greatly flourish, or delight in their station at present. Their ruler here was Onomog, who is lately deceased, about two months since; which is a great blow to that place. He was a pious and discreet man, and the very soul, as it were, of that place. Their teacher's name is [Solomon*]. Here they observe the same decorum for religion and civil order, as is done in other towns. They have a constable and other officers, as the rest have. The Lord sanctify the present affliction they are under by reason of their bereavements; and raise up others, and give them grace to promote religion and good order among them.

§. 9. Wamesit† is the fifth praying town; and

*Hutchinson says his name was Solomon.

†Massachusetts Colony Records, vol. 3, p. 301, vol. 4, part 1, pp. 268, 406, 431; part 2, pp. 16. 431. This territory is now a part of Lowell.

Digitized by Google

is situated upon the Merrimack River, being a neck of land, where Concord River falleth into Merrimack River. It is about twenty miles from Boston, north-north-west, and within five miles of Billerica, and as much from Chelmsford: so that it hath Concord River upon the west-north-west; and Merrimack River, upon the north-north-east. It hath about fifteen families; and consequently, as we compute, about seventy-five souls. The quantity of land belonging to it is about twenty-five hundred acres. The land is fertile, and yieldeth plenty of corn. It is excellently accommodated with a fishing place; and there is taken a variety of fish in their seasons, as salmon, shads, lamprey eels, sturgeon, bass and divers others. There is a great confluence of Indians, that usually resort to this place in the fishing seasons. Of these strange Indians divers are vicious and wicked men and women; which Satan makes use of to obstruct the prosperity of religion here. The ruler of this people is called Numphow. He is one of the blood of their chief sachems. Their teacher is called Samuel; son to the ruler, a young man of good parts, and can speak, read, and write, English and Indian competently. He is one of those that were bred up at school, at the charge of the Corporation for the Indians. These Indians, if they were diligent and industrious,—to which they have been frequently excited,—might get much by their fish, especially fresh salmon, which are of esteem and good price at Boston in the season; and the Indians being stored with horses of a low price, might furnish the market

Digitized by Google

fully, being at so small a distance. And divers other sort of fish they might salt or pickle, as sturgeon and bass; which would be much to their profit. But notwithstanding divers arguments used to persuade them, and some orders made to encourage them; yet their idleness and improvidence doth hitherto prevail.

At this place, once a year, at the beginning of May, the English magistrate [Gookin,] keeps his court, accompanied with Mr. Eliot, the minister; who at this time takes his opportunity to preach, not only to the inhabitants, but to as many of the strange Indians, that can be persuaded to hear him; of which sort, usually in times of peace, there are considerable numbers at that season. And this place being an ancient and capital seat of Indians, they come to fish; and this good man takes this opportunity to spread the net of the gospel, to fish for their souls. Here it may not be impertinent to give you the relation following.

May 5th, 1674, according to our usual custom, Mr. Eliot and myself took our journey to Wamesit or Pawtucket;* and arriving there that evening, Mr.

*Governor Hutchinson says, "Pawtucket, at the falls in Merrimack River, was the place of another set of praying Indians. The Pennacook Indians had come down the river, and built a fort at Pawtucket, and were great opposers, and obstinately refused to pray to God; but being concerned in the expedition against the Mohawks, they were most of them cut off, and since that time the Pawtuket Indians were, at least several of them, become praying Indians, and Jethro was sent to preach Christ to them." Hutchinson's History of Massachusetts, vol. 1, p. 157, note.

Digitized by Google

Eliot preached to as many of them as could be got together out of Mat. xxii. 1-14.—the parable of the marriage of the king's son. We met at the wigwam of one called Wannalancet, about two miles from the town, near Pawtucket falls, and bordering upon the Merrimack river.* This person, Wannalancet, is the eldest son of old Passaconaway, the chiefest sachem of Pawtucket. He is a sober and grave person, and of years, between fifty and sixty. He hath been always loving and friendly to the English. Many endeavors have been used several years to gain this sachem to embrace the christian religion; but he hath stood off from time to time, and not yielded up himself personally, though for four years past he hath been willing to hear the word of God preached, and to keep the Sabbath.—A great reason that hath kept him off, I conceive, hath been the indisposition and averseness of sundry of his chief men and relations to pray to God; which he foresâw would desert him, in case he turned a christian. But at this time, May 6th, 1674, it pleased God so to influence and overcome his heart, that it being proposed to him to give his answer concerning praying to God, after some deliberation and serious pause, he stood up and made a speech to this effect.

Sirs, you have been pleased for four years last past, in your abundant love, to apply yourselves particularly unto me and my people, to exhort, press, and persuade us to pray to God. I am very thankful to

*Near the site of the stately mansion of Frederick Ayer.

Digitized by Google

you for your pains. I must acknowledge, said he, I have, all my days, used to pass in an old canoe (alluding to his frequent custom to pass in a canoe upon the river) and now you exhort me to change and leave my old canoe, and embark in a new canoe, to which I have hitherto been unwilling: but now I yield up myself to your advice, and enter into a new canoe, and do engage to pray to God hereafter.

This his professed subjection was well pleasing to all that were present, of which there some English persons of quality; as Mr. Richard Daniel, a gentleman that lived in Billerica, about six miles off: and Lieutenant Henchman, a neighbor at Chelmsford; besides brother Eliot and myself, with sundry others, English and Indians. Mr. Daniel before named desired brother Eliot to tell this sachem from him, that it may be, while he went in his old canoe, he passed in a quiet stream: but the end thereof was death and destruction to soul and body: But now he went into a new canoe, perhaps he would meet with storms and trials; but yet he should be encouraged to persevere, for the end of his voyage would be everlasting rest. Moreover he and his people were exhorted by brother Eliot and myself, to go on and sanctify the sabbath, to hear the word, and use the means that God hath appointed, and encourage their hearts in the Lord their God. Since that time, I hear this sachem doth persevere, and is a constant and diligent hearer of God's word, and sanctifieth the sabbath, though he doth travel to Wamesit meeting every sabbath, which is above two miles; and

Digitized by Google

though sundry of his people have deserted him, since he subjected to the gospel, yet he continues and persists.*

In this town they observe the same civil and religious orders, as in other towns, and have a constable and other officers.

This people of Wamesit suffered more in the late war with the Mohawks, than any other praying town of Indians: for divers of their people were slain; others, wounded; and some, carried into captivity: which providence hath much hindered the prosperous estate of this place.†

§. 10. Nashobah‡ is the sixth praying Indian town. This village is situated in a manner in the centre between Chelmsford, Lancaster, Groton, and Concord. It lieth from Boston about twenty-five miles, west-north-west. The inhabitants are about ten families, and consequently about fifty souls. The dimensions of this village is four miles square. The land is fertile, and well stored with meadows and woods. It hath good ponds for fish adjoining it.

*The beautiful Eliot Church stands very near the site of the wigwam in which Wannalancet worshiped two hundred years ago.

†The war with the Mohawks, or Maquas, who lived near the lakes of Northern New York, began in 1663, and lasted till 1671, and was very destructive to the Indian tribes of Middlesex.

‡Massachusetts Colony Records, vol. 4, pp. 192, 348. This territory is now partly in Concord and partly in Littleton.

Digitized by Google

The people live here, as in other Indian villages, upon planting corn, fishing, hunting, and sometimes laboring with the English. Their ruler of late years was John Ahatawance, a pious man. Since his decease, Pennahannit is the chief. Their teacher is named John Thomas, a sober and pious man. His father was murthered by the Maquas in a secret manner, as he was fishing for eels at his wear, some years since, during the war. He was a pious and useful person; and that place sustained a great loss in him. In this village, as well as in other old Indian plantations, they have orchards of apples, whereof they make cider; which some of them have not the wisdom and grace to use for their comfort, but are prone to abuse unto drunkenness. And although the laws be strict to suppress this sin, and some of their own rulers are very careful and zealous in the execution of them; yet such is the madness and folly of man naturally, that he doth eagerly pursue after that which tendeth to his own destruction. I have often seriously considered what course to take, to restrain this beastly sin of drunkenness among them; but hitherto cannot reach it. For if it were possible, as it is not, to prevent the English selling strong drink; yet they having a native liberty to plant orchards and sow grain as barley and the like, of which they may and do make strong drink and doth inebriate them: so that nothing can overcome and conquer this exorbitancy, but the sovereign grace of God in Christ; which is in the only antidote to prevent and mortify the poison of sin.

Digitized by Google

Near unto this town is a pond, wherein at some seasons there is a strange rumbling noise, as the Indians affirm; the reason thereof is not yet known. Some have conceived the hills adjacent are hollow, wherein the wind being pent, is the cause of this rumbling, as in earthquakes.

At this place they attend civil and religious order, as in the other praying towns: and they have a constable and other officers.

This town was deserted during the Maquas' war, but is now repeopled, and in a hopeful way to prosper.

§. 11. Magunkaquog* is the seventh town where praying Indians inhabit. The signification of the place's name is a place of great trees. It is situated partly within the bounds of Natick, and partly upon the land granted by the country. It lieth west southerly from Boston, about twenty-four miles, near the midway betwcen Natick and Hassanamesit. The number of its inhabitants are about eleven families, and about fifty-five souls. There are, men and women, eight members of the church at Natick, and about fifteen baptized persons. The quantity of of land belonging to it is about three thousand acres.

*The town of Ashland now embraces this territory, which also bore the name of Pennahannit. Mrs. Stowe, in "Old Town Folks", has improved the name into Magunco. Sir Charles Henry Frankland once lived at Magunco. See his Life, by the Rev. Elias Nason. Ashland was incorporated in 1746, having previously formed part of Hopkinton.

Digitized by Google

The Indians plant upon a great hill, which is very fertile. These people worship God, and keep the sabbath, and observe civil order, as do the other towns. They have a constable and other officers. Their ruler's name is Pomhaman; a sober and active man, and pious. Their teacher is named Job; a person well accepted for piety and ability among them. This town was the last setting of the old towns. They have plenty of corn, and keep cattle, horses, and wine, for which the place is well accommodated.

Having given the foregoing account of what he calls "the seven old praying towns," General Gookin proceeds to mention what he calls "the seven new praying towns," among the Nipmuck Indians. But as all these lay outside of the present limits of Middlesex, and had but a brief life at the best, they are omitted here.* The whole number of praying Indians in these fourteen towns was eleven hundred.

For many years the praying Indians were in a situation strikingly resembling that of the blacks of our times. The Colonists entertained towards them the same prejudices that have been entertained towards our Freedmen. During the first months of King Phillip's War, the Colonial authorities felt the same reluctance to accept the praying Indians as soldiers, that was felt in 1861 towards the blacks. But several

Digitized by Google

companies of these praying Indians were afterwards formed, which rendered very important services in bringing that conflict to a successful termination. "Military necessity," strengthened by the advice of Eliot and Gookin, led to the reception of these Indian soldiers, just as the same necessity led President Lincoln to the Emancipation Proclamation and the enlistment of colored troops. Thus does History repeat itself. Middlesex County, containing so many praying Indians, and so many frontier towns which suffered from the allies of Phillip, naturally took a leading part in bringing these Christian Indian soldiers into the field.

The situation of the praying towns of Middlesex during Phillip's War was such that, as Gookin declares, "the Indians in them might have been improved as a wall of defence about the greatest part of the Colony;"—for Wamesit bordered upon the Merrimack River, and the six other villages lay in Littleton, Marlborough, Grafton, Ashland, Natick and Stoughton, the distance from one to another being only twelve or fourteen miles.

Gookin further observes that, "had the suggestions and importunate solicitations of some persons, [particularly Eliot and himself,] who had knowledge and experience of the fidelity

Digitized by Google

and integrity of the praying Indians, been attended and practiced in the beginning of the war, many and great mischiefs might have been (according to reason) prevented; for most of the praying towns, in the beginning of the war, had put themselves into a posture of defence, and had made forts for their security against the common enemy; and it was suggested and proposed to the authority of the country, that some Englishmen, about one third part, might have been joined with those Christian Indians in each fort, which the praying Indians greatly desired, that thereby their fidelity might have been better demonstrated, and that with the assistance and company of some of those English soldiers, they might daily scout or range the woods from town to town, in their several assigned stations, and hereby might have been as a living wall to guard the English frontiers, and consequently the greatest part of the Jurisdiction, which, with the blessing of God, might have prevented the desolations and devastations that afterward ensued. This was not only the suggestion of some English, but the earnest desire of some of the most prudent Christian Indians."

But notwithstanding many signal services rendered to the Colony by praying Indians during Phillip's War, the animosity of the com-

Digitized by Google

mon white people against them became so intense that "the very name of a praying Indian was spoken against.*"

Because much mischief was done by the partisans and allies of Phillip, and because some Indians proved false and perfidious, the masses of the Colony treated all the Indians as false and perfidious. "Things growing to this height," says Gookin, on August 30th, 1675, the Governor and Council, against their own reason and inclination, were put upon a kind of necessity, for gratifying the people, to disband all the praying Indians, and to make and publish an order to confine them to five of their own villages, and not to stir above one mile from the centre of such place, upon peril of their lives." The five villages thus designated were the seven old praying towns already described, except those of Marlborough and Magunkog.

The fortified Indian village at Marlborough, which might have been the most serviceable to the whites of all the praying towns, was the first to be disrupted, and that, too, by the military

*See Gookin's Historical Account of the Doings and Sufferings of the Christian Indians in New England in the years 1675, 1676, 1677, in the second volume of the Collections of the American Antiquarian Society, p. 436. This volume being now a scarce one, liberal extracts from it will be made in this portion of my narrative.

Digitized by Google

authorities of the Colony, who should have seen most clearly the importance of maintaining such a frontier post.*

"By this order the poor Christian Indians were reduced to great sufferings, being hindered from hunting and looking after their cattle, swine, and getting in their corn, or laboring among the English to get clothes, and many other ways incommoded; also, were daily exposed to be slain or imprisoned, if at any time they were found without their limits. And there wanted not some English (ill willing to them,) and took occasion to seize upon them, and take away their guns, and detain them to this day, and to bring them to prison."

"Upon the 19th day of October, 1675, the Court passed an order to send troopers to fetch down all the Wamesit and Pakemit Indians; this was suddenly done, and, to be feared, in a hurry of temptation. The reason of this sudden motion, as I was informed, was a report brought to the Court that a haystack, belonging to Lieut. James Richardson of Chelmsford, was set on fire and burnt the day before. This fact was charged upon some of the Indians of

*See Gookin, in American Antiquarian Society's Collections, 2nd volume, pp. 455–462. See, also Hudson's History of Marlborough.

Digitized by Google

Wamesit; but they were innocent, as was afterwards cleared; for some skulking Indians of the enemy, that formerly lived near Groton, the principal whereof was named Nathaniel, he and his party did this and other mischief afterward, in burning several houses at Chelmsford. And one principal design of the enemy was to begin a difference between the English and praying Indians living at Wamesit, so that they might either be secured by the English or necessitated to fly to the enemy. This Nathaniel was afterward taken at Cochecho, and executed at Boston, who confessed the same. Moreover, Lieut. Richardson, whose hay was burnt, was a person well beloved of those Indians at Wamesit and their great friend, who did not apprehend (as he told me) that any of the Wamesit men had burnt his hay. But others were of a contrary mind, willing to give credit to any report against praying Indians, and accordingly, by their solicitations to the General Court, obtained an order for a troop of horse (as I said before) to march up to Wamesit, and bring down those Indians of Wamesit to Boston. This matter might have been accomplished as well by two men as forty troopers; for the Indians, upon the least message by the Court, would readily have obeyed."

Digitized by Google

"Upon the 20th of October, 1675, Mr. Joseph Cook of Cambridge was sent down (by Cornet Oakes, that commanded the troops,) unto the Court to inform them that the Wamesit Indians were upon the way coming down to order, and that they might be there on the morrow; withall he acquainted the Court that they were in number about one hundred and forty-five men, women and children, whereof about thirty-three were men that were all unarmed; that many of them were naked, and several of them decrepid with age, sundry infants, and all wanted supplies of food, for they were fain to leave most they had behind them, except some small matters they carried upon their backs. Upon this information, the Court took the matter into more deliberate consideration, and sent back Mr. Cook, with an order to return all the women and children, and old men back to their place, and to bring down only the able men; which order was put into execution."

The 15th of November, 1675, there befell another great trial to the poor praying Indians at Wamesit; they lived very near to Lieut. Thomas Henchman, about two miles from Chelmsford, and were under the guard and care of Lieut. Richardson, appointed thereunto by the Council. The antecedents to this affliction

Digitized by Google

of the Indians was this. A barn belonging to Richardson, being full of hay and corn, was set on fire and consumed. This was done by some skulking rogues of the enemy, that formerly lived about Groton, as we afterward understood; but the English at Chelmsford imputed the fact to the Wamesit Indians, as they had formerly done by the same man's hay, and thereby brought much trouble upon the poor Christians. Upon this occasion, about fourteen armed men from Chelmsford, pretending to scout and look out for the enemy, but as I was informed, it was moved among them and concluded, that they would go to the wigwams of the Wamesit Indians, their neighbors, and kill them all; in pursuance whereof they came to the wigwams, and called to the poor Indians to come out of doors, which most of them readily did, both men, women and children, not in the least suspecting the English would hurt them. But two of the English being loaded with pistol-shot, being not far off, fired upon them and wounded five women and children, and slew outright a lad of about twelve years old, which child's mother was also one of the wounded; she was a widow, her name Sarah, a woman of good report for religion. She was daughter to a Sagamor, named Sagamor John, who was a great friend to the English,

Digitized by Google

who lived and died at the same place. Her two husbands, both deceased, were principal Sagamores, one named John Tohatooner, and the other Oonamog, both pious men, and rulers of the praying Indians, one at Marlborough, the other at Nashobah; her last husband died before the war, the first long before."

Lorgin and Robbins, the perpetrators of these murders, "were seized and committed to prison, and afterward tried for their lives, but were cleared by the jury, to the great grief and trouble generally of magistracy and ministry and other wise and godly men. The jury pretended want of clear evidence; but some feared it was rather a mist of temptation and prejudice against these poor Indians that darkened their way. This cruel murder and fight occasioned most of these poor Christian Indians to fly away from their wigwams not long after, but carried little or nothing with them; but for fear, rather exposed themselves and families to the hardships and sufferings of hunger and cold, than to be under the harsh dealings of cruel men. But as soon as the Council were informed that the

*When the Rev. Wilkes Allen wrote his History of Chelmsford it is said he incorporated therein an account of these atrocities, but the town omitted that account, deeming it discreditable to the town. Thus is history warped for purposes of local pride.

Digitized by Google

Indians were fled, they sent out orders to Lieut. Henchman to send after them, and endeavour to persuade them to return; but their fears so prevailed that they refused to return."

"About the 5th of February, 1676, a petition from the Wamesit Indians (living near Chelmsford) was presented to the Council by the hands of Jerathmel Bowers (one of their guardians,) the purport whereof was, to desire earnestly that they might be moved from the place where they were; declaring they feared to stay, because (in all probability) other Indians would come and do mischief shortly, and it would be imputed to them, and they should suffer for it. The Council answered their petition, that they would endeavor to remove them speedily. But there was greater delay about it than was intended, by reason of divers other momentous occasions intervening. So that, within a few days after, these poor Indians of Wamesit finding themselves in great danger, being threatened by some of their English neighbors), they all ran away into the woods towards Pennakook; only they left behind six or seven aged persons, blind and lame, which, not long after, were destroyed by some cruel and wicked men, in a secret manner, who set fire to the wigwam where they kept, and burnt them all. The

Digitized by Google

authors of this fact were not openly known, nor so clearly witnessed thereof, as to proceed against them by authority; but two persons were suspected strongly to be the actors, one of whom shortly after was slain at Sudbury; the other is yet alive, who, if guilty, which his own conscience knows, the Lord give him repentance for this so inhuman and barbarous fact, or else undoutedly the just God will in due time avenge this innocent blood. This fact, when heard of, was deservedly abhorred by all sober persons. Those poor Christian Indians of Wamesit escaped clear away, and joined themselves with Wannalancet, who had withdrawn himself in the beginning of the war. They suffered much in their peregrination (as we afterward understood,) and sundry of them died by sickness, whereof two were principal (and I hope pious) men; the one named Numphow, their chief ruler, and the other Mystic George, a teacher of them; besides divers other men, women and children, through famine and sickness lost their lives. The rest of them, in August 1676, came in with Wannalancet to Major Waldron, and the rest of the committee at Cocheco, who were appointed to treat and make peace with such as came in and surrendered; these Wamesit Indians, as well as Wannalancet and his people, had not been in

Digitized by Google

hostility against the English, nor had done them any wrong, only fled away for fear, and for wrongs suffered from some English; so that there lay no just block in the way unto their reconciliation, so they were accepted; and yet, afterward, when they were sent to Boston, accusations came against some of them by English captives escaped, that some of them were in arms against the English, (how true those charges were God only knows, for 'tis very difficult, unless upon long knowledge, to distinguish Indians from one another,) however, the testimony of the witnesses against them was admitted, and some of them condemned to death and executed, and others sent to islands out of the country; but some few were pardoned and reconciled, whereof Wannalancet and six or seven of his men were a part, and the Wamesit Indians, Sam Numphow (hardly escaped,) Symon Betokam, Jonathan, George, a brother to Sam Numphow, and a very few other men, but several women and children, who now lived among the rest."

As with the Nationalists during the late Civil War, so with the Colonists during Phillip's War, their necessities finally overcame their prejudices. As the blacks of our time were called in to save the Union, so were the reds of

Digitized by Google

the Colonial era called in to save the towns of Middlesex from the allies of Phillip. It was not however, until a body of the enemy lay strongly entrenched within twenty miles of Lancaster, Groton and Marlborough, and was making daily incursions upon the different towns, that the Council resolved to arm and send forth a company of the praying Indians from Deer Island, under the conduct of Samuel Hunting and James Richardson, the one made a captain, the other his lieutenant for this service.*"

"Upon the 21st of April, 1676, Captain Hunting had drawn up and ready furnished his company of forty men, at Charlestown. They were ordered by the Council at first to march up to Merrimack river near Chelmsford, and there to settle a garrison near the great fishing-places, where it was expected the enemy would come at this season to get fish for their necessary food; and from this fort to keep their scouts abroad daily, to seize the enemy; and if they should be overpowered by greater numbers, their garrison and fort was for their retreat, until assistance might be sent them."

*So soon as we condescended to improve our praying Indians in the war, from that day forward we always prospered; until God pleased to tear the rod in pieces, partly by conquest, partly by fire, sickness and death. Apostle Eliot's Journal.

Digitized by Google

"From this time forward, our Christian Indian soldiers were constantly employed in all expeditions against the enemy, while the war lasted; and after the arrival of the ships from England, which was in May, arms were bought to furnish the rest of the able men; and then Capt. Hunting's company was made up to the number of eighty men; those did many signal services in the summer of 1676. At Weshakum, and at or near Mendon, at Mount Hope, at Wachusett, and several other places, they were made use of as scouts before the army, and at such time when the army lay still and staid at their quarters; in which scoutings they took several captives, and slew many of the enemy, and brought their scalps to their commanders."

In the course of this War, John and Daniel Hoare, members of the historic family of Middlesex of that name, were so unfortunate as to be imprisoned on divers charges of crime in connection with the Indians. The following are the prayers of a petition sent by them to the Colonial authorities in September, 1676.

1. That all indictments that are presented against the said Daniel Hoare, either jointly with others or particularly respecting himself, by the Grand Jury, we may have copies of and testimonies that are sworn to in what may concern our case.

Digitized by Google

2. That we may have summonses from the Secretary, for such witnesses as we may or shall stand in need of for our justification in any crime that is or may be charged against him to the end the cause of both parties may legally come before the Judges to the end true and equal justice may be done betwixt our Sovereign Lord the King and the prisoners respectively.

3. That all jurors that may be summoned or impanneled on the petty jury may be such as are allowed by the laws and statutes of the realm of England—those in the respective County and neighborhood where the fact charged is pretended to have been committed.

4. That he may know what time he may be called to answer that so we may summons our witnesses accordingly—there being no time specified in the mittimus.

5. That your prisoner may have liberty to go and attend on the solemn worship of the Lord our God in Boston, both on the Lord's Days and lecture days, while the Lord gives opportunity.*

The Hoar family has furnished the country several lawyers of eminent ability—notably Judge E. R. Hoar, Senator Hoar, their late father, and the present editor of the American Law Review. But this petition shows that legal acumen was not wanting in this family two

*From manuscript notes of John Wingate Thornton, Esq., appended to his private copy of the narrative of his ancestor, General Gookin, so often quoted in these pages.

Digitized by Google

centuries ago. It is a curiousity in our judicial history, all the more valuable because of the unfortunate loss by fire of the records of the Colonial Court of Assistants, before which Hoar and his associates were brought to trial.

Daniel Hoare and three others were convicted "for murdering of a certain parcel of Indians" and sentenced to death. This fact is the more remarkable because the Hoar family were friendly to the Indians

In connection with the rough manner in which the Wamesit Indians were hurried from their own homes to Boston, the still more brutal incidents attending their return should not be omitted. While they lay in prison at Charlestown, thirty-three of them "were sent for before the General Court at Boston, and charged with burning a stack of hay at Chelmsford, belonging to James Richardson. * * But no proof appeared, and it was afterward discovered that they were all innocent, and that the enemy did it. The issue of this examination and charge was, that three of the company, viz. one named Will Hawkins, a Narragansett Indian, that used constantly to work about Salem, and was now, since the war, retired to Wamesit, and two others that were not praying Indians, nor properly belonged to Wamesit, but retired thither

Digitized by Google

since the war; these three were condemned to be sold for slaves, and sent out of the country, and accordingly committed to prison in order to their disposal out of the country; and afterward were sent away. But all the rest, being thirty, were to return back to Charlestown to continue under restraint still. A vote passed in the House of Deputies, as I heard, finding all the Wamesit Indians guilty of burning the hay; but it was not consented to by the magistrates."

"The rest of the Wamesit Indians, being about twenty in number, were sent back to their wives and children at Wamesit. But as they passed home, being under the guard of Lieutenant James Richardson, and a file of soldiers," Gookin relates that they marched through Woburn while the train band of that place was exercising. "Lieutenant Richardson and his Indians, with their guard, made a halt and he held out his handkerchief as a flag of truce, whereupon the Captain and officers of the band sent to Richardson, who showed them his commission from the Council to conduct those Indians safely to their homes; whereupon the Captain and officers gave very strict charge to all the soldiers not to shoot a gun until all the Indians were past and clear, nor yet to give any opprobious words. But notwithstanding

Digitized by Google

this strict prohibition, when the Indians were passing by, a young fellow, a soldier named Knight, discharged his musket and killed one of the Indians stone dead, being very near him. The person slain was a stout young man, very nearly allied to the principal praying Indians of Natick and Wamesit.*"

Since the War of 1676, the remnants of the five confederacies of New England Indians have generally professed Christianity—the Church of Rome attracting those of Maine, while the rest of them accepted, more or less heartily, the Protestant faith. The Narragansetts, the Pokanokets, and the Pequots, had been substantially harried out of existence; while of the Pawtuckets and the Massachusetts a mere wreck remained.

In 1677, the Indians in Massachusetts, including the praying natives, were grouped by the General Court in four villages of their own, Natick, Stoughton, Grafton and Wamesit.† But their lands were wanted by their white neighbors, and they found no rest. One by one these villages became extinct. Natick, which was the earliest, was also the last, of the praying towns.

*See Gookin, in American Antiquarian Society's Collections, 2nd volume, pp. 462–521. See, also, Cowley's History of Lowell, and Shattuck's History of Concord.

†Massachusetts Colony Records, vol. 5, p. 136.

Digitized by Google

John Dunton, who visited Natick in 1705, has left us a lively account of the village and of the Indian King and Queen. On his arrival there, he says, he "stept up and kissed the Indian Queen, making two very low bows, which she returned very civilly. The sachem was very tall, and well limbed, but had no beard, and a sort of a horse-face. The Queen was well shaped and her features might pass pretty well; she had eyes as black as jet, and teeth as white as ivory; her hair was very black and long, and she was considerably up in years; her dress peculiar, she had sleeves of moose-skin, very finely dressed, and drawn with lines of various colors, in Asiatic work, and her buskins were of the same sort; her mantle was of fine blue-cloth, but very short, and tied about her shoulders and at the middle with a zone, curiously wrought with white and blue beads, into pretty figures; her bracelets and her necklace were of the same sort of beads, and she had a little tablet upon her breast, very finely decked with jewels and precious stones; her hair was combed back and tied up with a border which was neatly worked, with gold and silver.*"

The Indian town government of Natick outlived that of the church, but finally passed

*Life and Errors of John Dunton, p. 158.

Digitized by Google

into the control of the white inhabitants. The records of the town, originally kept in the Indian language alone, were now kept in both English and Indian, and the town offices were divided between the two races, the whites taking the lion's share, and the reds the lamb's. Finally the lamb's share, following the law of "the survival of the fittest," passed to the whites with the lion's. The number of the tribe in 1749, was 166; in 1763, was 37; in 1797, was 20; and in 1826 the tribe was extinct.

Not only have all these towns of praying Indians vanished into gloom, but five or six generations of white men have affected to look with pity upon the labors of Eliot and Gookin as fated to be fruitless, however well meant. Eliot and Gookin can bear all this, and more than this; they can bear it for two thousand years, as they have already borne it for two hundred years.

Shallow, self-complacent men may theorize as they please; it will be found at last that Eliot and Gookin were right, and that the hopes which they indulged, of the capacity of the Indians for civilization, were well founded, and might have been realized, but for events over which they and their Indian clients had no control.

Digitized by Google

Although great numbers of Indians have perished by wars of dispossession and imported diseases since the colonization of this Continent by Europeans, and some tribes have become extinct, two facts may now be regarded as settled: first, that the number of Indians inhabiting America at the time of Columbus has been grossly exaggerated; second, that in those localities where the Indian occupation has been permanent and free from the incursions of the whites, the Indians have steadily increased in numbers, and they have partially recovered from their former immense losses.

The great Dakota tribe, for example, has been steadily increasing ever since it first became known.*

Since this narrative was begun, the Bible and Tract Distributing Society have published an able Lecture by Stanley Pumphrey, of England, on Indian Civilization, which demonstrates the soundness of Eliot and Gookin's plans, although neither they nor their plans are anywhere named therein. The greater part of Mr. Pumphrey's lecture is devoted to a comparison from his personal examination between the present condition of the tribes in the Indian

*On Indian Civilization, see Mallory's Calender of the Dakota Nation.

Digitized by Google

Territory—Creeks, Cherokees, Chickasaws, Choctaws, etc.—with that at the time of their inspection by Commissioners John D. Lang and Samuel Taylor thirty-five years ago. The result shows a most gratifying and surprising advance. The array of facts and figures proves that in agricultural wealth, good order in self-government, education, and even religion, those Indians who have been left for even a comparatively short period without being driven to desperation by governmental injustice and white incursions, can stand a favorable comparison with our average frontier population.

The New York Nation (No. 642) commends this lecture as "one of the recent works about our native American race which show sense instead of sentiment, and observation of facts instead of theorizing about the red man being *ferœ naturœ* and withering at contact with the white." Referring to the increase in our Indian population, the Nation adds: "This truth, when appreciated by the people and Congress, will do much to require a permanent improvement in our Indian policy. While the civilization of the race seemed hopeless and their extinction imminent, their claims might be slighted, but not when they certainly can be made a considerable and useful part of the com-

Digitized by Google

munity. The plan hitherto has been a mere temporary adjustment of pressing difficulties for the supposed advantage of Government or selfish greed of speculators; now it must be the preservation, reclamation, and final elevation to citizenship of the race entrusted to our national custody. If that race can furnish, with no unreasonable delay, a goodly number of tax-paying citizens, it is obviously better than to expend both citizens and treasure in wars occasioned by unjust coercion, dishonoring our character both for integrity and good judgment."

No one has yet attempted to trace the many correspondences in the lives of the Rev. John Eliot and the Rev. John Wesley. But in their zeal for the salvation of men, and especially of the Indians; in their lives of unremitting toil as preachers; in their devotion to learning and to literary labor; in that genius which makes man supreme above his accidents, and enables him to project plans of usefulness and beneficence which live for ages,—in these and in many other things, Eliot and Wesley were remarkably alike. The mild Calvinism of Eliot could not have been offensive to the Arminianism of Wesley who gave such a wealth of love to Whitefield. It is a wonder the great Methodist body have not claimed Eliot as an earlier

Digitized by Google

Methodist—as one born, like the apostle of old, "out of due time."

The biographer of the immortal Wesley, referring to his employment of lay preachers, says: "The step he took was momentous; and marvelous is the fact that the very Church, which so branded him for such a departure from Church order, is now actually copying his example." He thinks it a notable incident, that in May, 1869, "Dr. Jackson, Bishop of London, formally authorized eight laymen to read prayers, and to read and *explain* the Holy Scriptures, and to conduct religious services for the poor in schools, and mission rooms, and in the open air.*" Yet this was no more than Eliot had done several generations before.

The catholicity of Eliot was exemplified in the visit which he received from the Rev. Gabriel Druillettes, the Roman Catholic missionary to the Indians on the Kennebec River, of which visit another Roman Catholic missionary gives the following account:—

Dans ce voyage le Père visita, à Roxbury, le ministre Eliot, appelé par les Anglais l'apôtre des sauvages. Ce ministre dut être fort étonné en voyant le missionnaire Jésuite, qui parlait la langue sauvage aussi bien que les sauvages

*Tyerman's Life of Wesley, vol. 1, p. 371.

Digitized by Google

eux-mêmes et dont "l'habit et l'équipage le rapprochaient plus d'un sauvage que d'un Français de médiocre condition." Cependant il le reçut avec bienveillance; "Le Ministre," écrit le Père, "nommé maître Héliot, qui enseignait quelques sauvages, me retint chez lui, à cause qua la nuit me surprenait, et me traita avec respect et affection, et me pria de passer l'hiver avec lui."

Il visita anssi quelques bourgades sauvages. Il put s'entretenir longuement avec ces sauvages parcequ'ils parlaient la même langue que les Abénakis."*

How great was the joy of these saintly men, on finding that the language of their copper-colored converts, on the Merrimack, and on the Kennebec, was one and the same.

When the Rev. Cyrus Kingsbury, a graduate of the Theological Seminary at Andover, and the first Indian missionary of the American Board, began his labors among the Chickasaws and Choctaws, on the Yazoo River, in 1818, he remembered "the Apostle of the Indians," and called the town Eliot.†

*Histoire des Abenakis, depuis 1605 jusqu'a nos jours. Par L'Abbe J. A. Maurault.

†See Bartlett's Historical Sketch of the Missions of the American Board among the North American Indians.

Digitized by Google

The generous General Gookin was severely censured by the General Court for licensing the "Imitation of Christ," of Thomas A'Kempis, of which Joseph Cook, the exponent of modern Orthodoxy, says:—"A sweet aroma breathes from it as from the earliest and most modest of the spring blossoms. A Romish work, if you please, but none the worse for that, so far as its devotional side is concerned. It it adopted everywhere by Protestantism, and linked, therefore, to all ages, Romish and Protestant, back to the day when there was neither Romanist nor Protestant." This book was a favorite one of John Wesley, and strongly recommended by him to the Methodists.

In the early days of Middlesex, the affairs of the County were managed with great prudence and economy. There were checks upon expenditures, which, had they been continued, might have saved us from the losses and disgraces incident to the County Tweedism of more recent years. The regulations touching these affairs are found in the fourth volume of the Colony Records, (pages 184-186,) and deserve perusal and reperusal.

In 1685, power for the probate of wills and the settement of estates was conferred upon the County Courts. This business, which had been

Digitized by Google

very loosely done before, continued to be transacted in a slip-shod manner until the time of Sir Edmund Andross. Whatever errors are chargeable to Governor Andross, we owe to him the method of procedure which has been practiced ever since his time in the probate of wills and in the granting of administrations. It is a modification of the practice which obtained at Doctors' Commons in England, with which Andross was familiar.

In the general rehabilitation of damaged reputations in our times, and when the dust has been brushed away from so many famous urns, I wonder that no advocate has yet moved to set aside the verdict of the people against Sir Edmund Andross. All the judgments of History are subject to perpetual appeal. Sir Edmund had the misfortune to be "born out of due time." Like Daniel Webster on another occasion, he spoke and acted, "not as a Massachusetts man, or as a Northern man, but as an American," struggling for an American Union: and under his ill-starred administration, all the Colonies from Nova Scotia to Maryland were united under one government. This is not the place to whitewash this long-departed and much-defamed Governor. I only allude to him to foretell the coming of one who will do for Andross what

Digitized by Google

Walpole did for Richard the Third, and what Mr. Froude has done for Henry the Eighth.

The Courts of Common Pleas for this County were held by the Deputy Governor and Assistants until October, 1692, when a Court, consisting of a Chief Justice and sundry Justices of the Peace, was held for a single term, and its first regular term after its organization under the Province Charter seems to have been held December 13, 1692. For several terms however, after that, for some reason, three or more Justices of the Peace sat with the regular Judges when they held the court, though this custom was soon discontinued.

The first County Court House in Cambridge* was burned in 1671, with a volume of the County Court Records—1663–1671.

The following roll of the Judges of the old Middlesex Court of Common Pleas, with the dates showing when they began, and when they ceased, to serve, prior to the Revolution, was prepared by Judge Washburn, formerly of Lowell; but I have taken the liberty to correct various errors, and supply various omissions, made by him, he not having the original records.†

*The present County Court House in East Cambridge was erected in 1816. Prior to that time the County buildings at Cambridge were located at Harvard Square.

†Judicial History of Massachusetts, pp. 337–344.

Digitized by Google

John Phillips, December 7, 1692, to 1715.
James Russell, December 7, 1692, to 1709.
Joseph Lynde, December 7, 1692, to 1719.
Samuel Hayman, December 7, 1692, to 1702.
Jonathan Tyng, July, 1702, to 1719.
Francis Foxcroft, June, 1709, to 1719.
Jonathan Remington, December, 1715, to 1733.
Jonathan Dowse, June, 1719, to 1741.
Charles Chambers, June, 1719, to 1739.
Francis Fulham, June, 1719, to 1755.
Thomas Greaves, 1733, to 1738, and from 1739 to 1747.
Francis Foxcroft, March 1737, to 1764.
Samuel Danforth, July 1741, to Revolution.
Chambers Russell, August 1747, to 1752.
Andrew Boardman, April 1752, to 1769.
William Lawrence, June 1755, to 1763.
John Tyng, September 1763, to Revolution.
Richard Foster, March 1764, to 1771.
Joseph Lee, May, 1769, to Revolution.
James Russell, May, 1771, to Revolution.*

Charlestown, in which the first Courts were held in Middlesex, continued to be one of the regular places for holding courts till 1775. Regular terms of the Courts were held at Concord, from 1692 to 1859, and at Groton from 1778 to 1796. Lowell, I may here add, became one of the places for holding Courts in 1837.

*Whitmore says the last term of this Court was held May 21, 1774. Mass. Civil List, p. 88. Washburn says, Commissions were issued, on November 2, 1775, to John Tyng, of Dunstable, Henry Gardner, of Stowe, Samuel P. Savage, of Weston, and John Remington. The Post-Revolutionary Judges of this Court will appear elsewhere in this Manual.

Digitized by Google

The military events which took place in Middlesex during the War of the Revolution—the expedition of Major Pitcairn to Concord and the battle of Bunker Hill—belong to National History rather than to County Annals; and (like the fight at Sudbury and the massacre at Bloody Brook in Phillip's War), they have been told too often to require rehearsal here. I prefer paths less trodden by others—some of them, indeed, never traversed before—away from the noise of the bugles of battle, "the thunder of the captains, and the shouting."

The Revolutionary War was followed by even greater stagnation in business than has occurred since the Civil War. The States and the Nation, municipal corporations and individuals, were groaning under the burden of debt. Thousands of farmers, though owning extensive farms, were destitute of money, and powerless to save their farms from mortgages or from seizure under process of law. These and other evils were keenly felt by the people. The Commonwealth was in commotion.

Middlesex County was profoundly stirred; still more were Worcester and the Western Counties, which sprang from her prolific loins.

Conventions were held at Groton and at Concord, as well as at Worcester and other

Digitized by Google

towns; and organized movements were made to prevent the sitting of the courts, and thereby delay the entry of judgments against impecunious defendants.

How great was the distress, was partly indicated by the fact that, whereas only 120 actions were entered at the November term of the Court of Common Pleas in 1782, (which I assume to have been about an average number,) —no less than 360 actions were entered at the March term of that Court in 1786.

At three terms of the Court of Common Pleas, in 1784, there were entered 978 writs, and in the following year, 845 writs.

On the 12th of September, 1786, during Shay's Rebellion, an insurgent force of two hundred men took possession of the court house at Concord to prevent the sitting of the Court of Common Pleas there, in which they succeeded.

But the General Court at once passed a resolve providing that all actions and appeals which should have been returned and entered at that time, should be returned and entered at the November term of the same Court. So that the insurgents gained little by thus obstructing the Court.

As other counties suffered more than Middlesex so in other counties the resistance to the

Digitized by Google

foreclosure laws was greater than in Middlesex: yet there is not a town of old Middlesex but might boast—

"Some village Hampden that with dauntless breast
The little tyrant of his fields withstood."

It has long been the custom to treat the "Shay's Rebellion" as a movement of knaves and fools. This is a shallow view of it. There was great and wide-spread distress. The natural reaction of the Revolution came with a force a thousand-fold augmented by the burdens and the evils which that Revolution involved. Those who have suffered, or are now suffering, from the results of our Civil War, will appreciate the sentiments which found wild expression in "Shay's Rebellion." If Shays, Wheeler, Parsons and Day, are to be stoned by any body, they certainly ought not to be stoned by those who passed the Savings Bank Stay Law of 1878, which is said to have been drawn by Charles R. Train, Attorney General of the State, and Counsel for the Home Savings Bank, and which is facetiously entitled "An Act for the better *Protection of Depositors* in Savings Banks."*

It is the fashion of our times to complain of the rule of "rings,"—and there is cause for

*See chapter 78 of the Acts of 1878, and the criticisms of the Nation and New York Tribune thereon.

Digitized by Google

these complaints. But the evil is not of modern origin. One has only to look over the lists of office-holders prior to the Revolution to see that the offices were generally in the hands of a few families and that these families were closely allied by marriages. The influence of the pressure of this oligarchy, more offensive than that of King or Parliament, in producing the Revolution, has never yet been adequately set forth. I may add that one of the most clearly articulated causes of Shay's Rebellion was the disgust of the people on realizing that the Tory Gentry who bore rule before the Revolution had merely given place to a money-lending oligarchy that possessed none of the grace, but ten-fold the rapacity, of the ancient regime.

In the Constitutional Convention of 1788, the votes of a majority of the Middlesex Delegates—17 to 25—were given against the adoption of the Federal Constitution. The Delegates from the ancient towns of Cambridge, Charlestown, Concord, Newton, Framingham, Lexington, Sherborn, Sudbury, Malden, Weston, Medford, Stow, Waltham, Dracut, Dunstable, and Lincoln, voted for the Constitution; while Billerica, Chelmsford, Tewksbury, Watertown, Woburn, Reading, Marlborough, Hopkinton,

Digitized by Google

Westford, Groton, Shirley, Pepperell, Townsend, Bedford, Holliston, Acton. Carlisle, Wilmington, Littleton, Ashby, Natick, Stoneham and East Sudbury voted against it.

The vote of the whole Convention was 187 to 168,— only a majority of 19 in favor of the Constitution, in Massachusetts. Had the Constitution been submitted to a vote of the people of Massachusetts, it is highly probable that it would have been rejected.

Seldom has a greater result depended upon so small a cause. The change of ten Delegates from the Valley of the Merrimack would probably have defeated the adoption of the Constitution of the United States. Such a change would clearly have placed Massachusetts against that scheme of government; and Madison, looking anxiously out of his Virginia home, wrote: "The decision of Massachusetts, in either way, will decide the vote of this State."

Those views of State Rights and State Sovereignty which culminated in our Civil War, were as strenuously maintained by thousands of the men of Middlesex and other Northern Counties, in 1789, as in Charleston or any other Southern City in 1861.

There is an ancient saying, "Happy are the people whose annals are barren." The County

Digitized by Google

Annals of Middlesex, since Shay's Rebellion, have been sufficiently dull, though lit up now and then by the flames of a burning Convent at Charlestown, or a burning Court House at Concord. The changes in the County Courts or in the County offices have not been great, and these are stated elsewhere in this Manual. The County has shared liberally in all the movements of the State and the Nation in peace and war; but these movements are beyond the scope of this sketch. Even the development of canals, railroads and manufactures, in which Middlesex was among the foremost, belongs property to other narratives than this, and there has been no lack of writers to record that development with all desirable fullness of detail.

CHARLES COWLEY.

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

FINANCIAL REFORMS

IN THE

COUNTY OF MIDDLESEX.

By the annexation of Charleston and Brighton to Boston in 1874, the County of Middlesex lost a population of forty-thousand persons and a valuation of thirty-five million dollars. Nevertheless, in 1874, the County Commissioners called upon the General Court for an appropriation of $225,000—being $25,000 more than the appropriation of the previous year—for County expenditures. There being no apparent cause for this extraordinary increase, the author of this article, being then a member of the House of Representatives, introduced the following order:—

Ordered, that a Special Committee be appointed, consisting of the present Committee on "County Estimates," with an addition of one

Digitized by Google

member from each county, to investigate the county appropriations asked for, and ascertain whether a reduction can be made consistent with public interest, and if any legislation is necessary in county matters.

Of the twenty-one Representatives composing this Committee, eighteen reported favorably to the appropriation asked for by the County Commissioners. Mr. Charles Alden of Ashland and the present writer made a minority report reducing this appropriation $33,000. Convinced that $192,000 was sufficient for all the legitimate expenditures of Middlesex County, the House, by an overwhelming vote, rejected the majority report, and adopted that of the minority.

Suffolk County, with a population of 270,802 in 1870, yielded a revenue from this source in 1873 of $12,138.03. Worcester County, with a population of 192,718 in 1870, yielded a revenue in 1873 of 5,174.97. Middlesex County, with a population of 274,353 in 1870, *was at a loss in* 1873 *of* $11,681,31.

At hearings before this committee Amos Stone, the County Treasurer, stated that the annual cost of all the criminal prosecutions in this county exceeded the income therefrom by about $30,000. Startling as the statement

Digitized by Google

seemed, it was true. Of the many thousand dollars paid by sureties on forfeited recognizances, *not a dollar had been paid into the county treasury since* 1864. All the moneys collected on forfeited recognizances in Middlesex for ten years in succession had mysteriously disappeared: while Suffolk had yielded from this source over eighty thousand dollars, during the same period.

For a long term of years the Middlesex County Commissioners made no returns to the Treasury for their services in locating roads for towns or for costs on petitions for highways not granted; while in Worcester, the youngest of her virtuous daughters, thousands of dollars were returned, through *her* County Commissioners. What became of these dues, imperative by the law to collect, is unknown to me, nor could I learn from the blind records of these commissioners. Is it likely they were not collected? Is it not more likely they were collected and divided?

The railroads of our times have so nearly superseded post-roads for general transportation, the expenditures of the County for highways might be expected to be diminished to almost the vanishing point. In fact, however, these expenses were augmented during ten years, (1864—1873), from $3,273.95, to $37,739.07.

Digitized by Google

From these amounts should properly be deducted such sums as were legally collectable from the localities specially benefited. After making these deductions, the following sums were taxed to the County for Highways :—

1864,	$2,707.00
1865,	$2,476.54
1866,	$4,015.00
1867,	$5,659.00
1868,	$4,170.00
1869,	$17,223.75
1870,	$12,371.85
1871,	$15,776.75
1872,	$27,832.62
1873,	$31,660.71
1874,	$31,622.39
1875,	$18,494.51
1876,	$14,384.15
1877,	$8,640.69

The testimony of the County Treasurer before the Committee was doubtless true, "that these extraordinary expenditures were not for new roads, but mostly for widening and beautifying streets in villages in the lower part of the county." These expenditures being under the direct control of the County Commissioners, they cannot escape the censure which is due for having thus unjustly taxed the cities of

Digitized by Google

Cambridge, Charlestown, Lowell, and the northern and western towns in the County, for the comfort and convenience of villages in Southern Middlesex.

The cost of Tyngsboro Bridge across Merrimack River being considered, it was found that the estimated cost was $35,000. Responsible contractors offered to build that bridge and furnish good and satisfactory bonds for its completion, for that sum; nevertheless, for some unexplained reason, the County Commissioners completed that bridge, and taxed the treasury over $92,000 for that "*little job.*"

The General Statutes, chapter 43, section 2, provide, that "No petition for the laying out, altering, or discontinuing, a highway, shall be proceeded upon by the commissioners, until the petitioners cause a sufficient recognizance to be given to the county, with surety to the satisfaction of the commissioners, for the payment of all costs and expenses which shall arise by reason of such petition and the proceedings thereon, if the petitioners shall not finally prevail."

Whether any money from this scource was paid into the county treasury in the long period during which Mr. Leonard Huntress was the controlling mind of the board, I know not; but during the period covered by the investigations

Digitized by Google

of this committee, not a dollar is reported from this source. Yet Mr. Huntress himself testified that "ten or a dozen" such cases occurred every year.

It appears that in 1874, the year of the investigation, a small sum ($83.70) was paid into the treasury as required by this law. According to Mr. Huntress's statements before the Committee, there were then outstanding claims in favor of the County from this scource.

In view of the apparent irregularities in County affairs, the House appointed another special committee for the prosecution of this investigation, consisting of John Cummings, of Woburn, S. O. Lamb, of Greenfield, Jonathan Johnson, of Lowell, W. C. Parker, Jr., of New Bedford, and Wm. G. Bassett, of East Hampton.

The report of this Committee[1] was made to the General Court in 1875, and is House Document No. 18 of that year. It should be read by all who would understand how rank were the abuses in County administration.

I do not charge, I have never charged, the Sheriff, or the Treasurer, or the Clerk of the Courts, with peculation, or with any irregularity in their own accounts. But I cannot forbear to censure the Sheriff for not scrutinizing more closely the acts of some of his deputies and the master of the House of Correction.

Digitized by Google

The County Commissioners for those years of fraud and corruption, the Clerk of the Courts, and the Sheriff, had every reason to know that moneys were often being paid on forfeited recognizances which never reached the Treasury. With such delinquencies existing before their eyes, they ought, as faithful public servants, to have made some active and even aggressive effort to correct these wrongs, and secure to the County what belonged to it.

Mr. Kimball's pretence that the moneys collected for forfeited recognizances were paid into the treasury under another head,—"fines and costs,"—will not stand examination. Mr. Stone is right, and *he* is wrong as to this. On Mr. Stone's testimony, the blame belongs to the District Attorneys—Isaac S. Morse and John B. Goodrich—and also to Sheriff Kimball.

Thousands of dollars, which had accumulated in the hands of Trial Justices and Clerks of Courts for unclaimed witness fees, were paid into the County Treasury in consequence of this investigation; and moneys from this scource are still coming in constantly, which, but for that investigation, would never have been accounted for.

Two years after these investigations were made, Mr. Adams concocted and published in

Digitized by Google

the *Boston Herald* an excuse or explanation of the discrepancies in the books of the House of Correction, which the *Herald* * treated with the small respect it deserved. He would have us believe (as a friend of mine puts it,) "that just before the Legislative Committee began this investigation, his own vigilance was "quickened" (like Mrs. Tilton's conscience) and he *began a thorough investigation of himself by himself*, and had pretty much concluded the work when the Committee called upon him."

Since the probing of the management of the Middlesex House of Correction in 1874, the County Treasury has received about 130 per cent. more from convict labor than the average receipts of the ten preceding years; and it is to be noted that those ten preceding years were years of extraordinary general prosperity, which ever since 1874 the county has groaned under "hard times."

Mr. Stevens, the present District Attorney, has effected several wholesome reforms in the administration of his office. The successors of Mr. Huntress have also shown good sense by a marked departure from his works and ways, and have evinced a disposition to follow the footsteps of Josiah B. French and Daniel S.

*See Boston Herald, October 17, 21, and 26, 1877.

Digitized by Google

Richardson, who tolerated no abuses while they were County Commissioners. But my complaint is, that the system is wrong, and that similar abuses may at any time revive.

One of the recommendations of this Committee was a law—which I hope to see enacted—as follows :—

"In all cases in which there has been heretofore, or is hereafter, any failure on the part of any trial justice, sheriff, deputy sheriff, jailer, constable, or any other officer, to pay into the county treasury any money which by law ought to be paid, it shall be the duty of the connty treasurer to take appropriate legal steps to compel such payment; and it shall be the duty of the several district attorneys within their districts, if applied to for this purpose, to take charge of such legal proceedings as may be appropriate."

Among the good points of this report, I quote the following :—

"The accounts of the House of Correction, at Cambridge, have been kept in an astonishingly imperfect manner. The manufacture of brushes has been carried on there, the help consisting of the prisoners confined. The jail and house of correction are two institutions in one. There has been but one bank account for both, and that

Digitized by Google

kept in the name of Mr. Harrington, the keeper of accounts. This account has been wholly a private one, and his own personal relations with the bank have been identical with those of the institutions. If, when he made returns, and paid over all moneys which, according to his accounts, were due the treasurer, a balance remained in the bank, it is plain Mr. Harrington must have considered it as belonging to him. So that, if any discrepancy occurred in the returns, Mr. Harrington was enriched by the amount of such discrepancy. From the books, it is impossible to ascertain whether the manufacturing department has been run at a profit or at a loss to the county."

The subject of convict labor in this and other similar institutions in this State is to be further investigated, under the following resolve:

"*Resolved*, That the Bureau of Statistics of Labor is hereby authorized to make a full investigation as to the kind and amount of work performed at the penal institutions of this State, and as to all the facts pertaining to the same." [*Approved April* 6, 1878.

In the days of our fathers, when inter-State trade was carried on by post-roads, it may have been a matter of public convenience to have a board of County Commissioners to direct and

Digitized by Google

manage the County highways. But no such board is now required. The interests of the County demand that the Commissioners be abolished. They are absolutely irresponsible for their acts, upon which there is no check whatever. There is no other body like them in our republican system. They are petty Kings. In a County like this with its large expenditures, the people owe it to themselves that they should at least provide the safeguard of an Auditor of Accounts. I would suggest, in lieu of these Commissioners, the establishment of a County Committee consisting of (say) twelve men chosen annually by a convention consisting of the mayors of all the cities and the chairmen of the selectmen of all the towns in the County. This would seem to render "ring rule" impossible and secure a prudent management of our affairs.

I desire to record my hearty appreciation of the manner in which County Treasurer Stone aided this work of investigation, as well as of his general high merit as a public officer.

JONATHAN JOHNSON.

Digitized by Google

RECONSTRUCTION

OF THE

COUNTY OF MIDDLESEX.

On October 20th, 1877, a convention was held in Lowell, of citizens of Middlesex favorable to the reconstruction of the county lines. Charles Cowley presided, an informal discussion took place, and a committee was appointed to take steps to agitate the subject, and to call another and larger convention thereafter. The following is the substance of the remarks of the Chairman :—

When this county was first established in 1643, it had no definite boundaries. Essex had Norfolk on the North, and Suffolk on the South, while Middlesex included all those towns between Essex and the Connecticut River. Hampshire, which was established in 1662, and

Digitized by Google

which originally included Hampden, Franklin and Berkshire, took from Middlesex by far the greater part of her original territory. The separation of the Colony of New Hampshire from the Colony of Massachusetts, in 1680, took from Middlesex the larger part of the territory which remained to her upon the incorporation of Hampshire. The adjustment of the boundary line between these two colonies, in 1743, took off another large slice of the "sacred soil." Finally the incorporation of Worcester in 1731, cut off the greater part of all that then remained of ancient Middlesex, after the successive mutilations just mentioned. Should the project to establish the County of Lincoln, which has from time to time been urged ever since the separation of Worcester, succeed, the limits of Middlesex would be further curtailed; and in behalf of that project, there is much to be said.*

Old Middlesex has thus so often been mutilated, that it is but a fragment of what it was; yet it seems to me eminently desirable that it should be materially abridged still further. What, for example, have Ashby, Holliston, Malden and North Reading in common with Lowell or with Newton, which they have not

*See Shattuck's History of Concord, pp. 144–147; Mass. House Document, No. 324, 1874.

Digitized by Google

with Worcester, Dedham, Salem and Lawrence? Holliston's contiguity to Dedham plainly indicates her true place as in Norfolk, if that County is to remain as it is. Malden should go to Boston for her judicial business, and North Reading to Lawrence. Several other towns of Middlesex would be benefited by a reconstruction of the county system.

If I had the power, I would make Boston the county seat of a great Metropolitan County, which should include all the municipalties as far North as Woburn, as far West as Newton, and other municipalities within the same distance from Boston ; and in Boston all their jury trials should be held.

The completion of our system of railroads involves the expediency,—nay, even the necessity,—of such a reconstruction of county lines as will group municipalities into counties with special reference to their facilities for intercommunication by rail.

Such a reconstruction of Middlesex would leave Lowell as the sole county seat.* The Court House at East Cambridge would furnish ample accommodations for the Superior Criminal Courts of Suffolk ; and to Suffolk the other

*See Judge Ames' Letter, House Doc. No. 324, 1874.

Digitized by Google

County buildings in Cambridge should be transferred. Suffolk needs them all.

Were Lowell made the centre and sole seat of our county life and business, no such abuses as those brought to light in 1874 could long exist undiscovered, or unchecked. Well compacted together as the different parts of the county would be, a sense of county pride would be created. County affairs would be better discussed and cared for. All county transactions would be more certain to be known, reported and understood, and the best security would be obtained for prudence and economy in county government.

Mr. A. P. Bonney, of this city, suggested, many years ago, that the County Commissioners be abolished; that all County institutions in the State be place under one Board; and that highways be laid out or discontinued by commisioners appointed by the Superior Court, upon petition of parties interested, and at the expense of the towns concerned.

That suggestion I think was a good one. And I think there should be a County Auditor; the worthlessness of the present system of auditing county bills being too palpable for discussion.

Digitized by Google

But I have no very sanguine hope for any immediate reform. Much discussion will be necessary, and the work will require time. Now that the abnormal or revolutionary period of our national political history has passed, attention will ere long be given to State and County affairs,—too long sadly neglected. I trust the effort here and now begun will lead to wider and larger efforts hereafter, until such changes shall have been effected in our county affairs as shall enable us to recall with satisfaction the initiatory work of this day.

Since the foregoing remarks were made, two terms of the Supreme Court, and two terms of the Superior (Criminal) Court, have been held in Middlesex. The expenses incurred, by parties residing in Northern Middlesex, in divorce suits alone, in travelling day after day, with counsel and witnesses, to and from Cambridge, in December, 1877, must have exceeded six hundred dollars. These are cases which could and should be heard near where the parties reside; and the parties are the least able to bear unnecessary expense. The April term of the Supreme Court involved searcely less un-

213051

Digitized by Google

necessary expense; although this term was meant by law to have been held in Lowell exclusively.

The deserted and abused wives who come to Lowell to eke out a subsistence for themselves and their children by working in the factories, deserve the sympathy of Courts as well as of all right-feeling people, and their path to freedom from the (to them) oppressive bonds of matrimony ought to be made easier rather than harder, in every practicable way.

The oppression (I use that word advisedly) endured by defendants residing in Northern Middlesex, whose causes were heard at the terms of the Superior Court above mentioned, was even greater than that endured by parties to causes of divorce at the above-mentioned terms of the Supreme Court. It is high time these Courts were required to sit at Lowell for the transaction of such business as belongs to the people in that large region of which Lowell is the natural centre. Transfer Cambridge to Suffolk, and you can cure this evil by making Lowell the sole shire town or city of the County.

Digitized by Google

Digitized by Google

Digitized by Google

CIVIL LIST

OF THE

COUNTY OF MIDDLESEX.

The functions of Register of Deeds, originally called "Recorder for Sales of Lands and Mortgages," were originally combined with those now performed by Registers of Probate, and by the Clerks of the County Courts: and to find the record of any particular fact during the early years of the County, one may now have to examine the books in these three different offices.

According to Massachusetts Colony Records,* Thomas Danforth, (afterwards Assistant and Deputy Governor,) was appointed by the General Court as Recorder for Sales of Lands and Mortgages in Middlesex, May 26, 1652.

*Compare volume 3, p. 276, with volume 4, p. 90.

Digitized by Google

But the first certificate on the records reads, "Recorded by me, Thomas Danforth ; Recorded ye 20th of ye 6th mo. 1651."*

REGISTERS OF DEEDS.

The following are the names of Mr. Danforth's successors, with the dates of the first certificates signed by them.

Lawrence Hammond	July 27, 1686.
Samuel Phipps	April 10, 1693.
Francis Foxcroft	April 14, 1721.
John Foxcroft	March 22, 1766.
Ebenezer Bridge	April 3, 1776.
Thadeus Mason	March 31, 1781.
William Winthrop	December 28, 1784.
Samuel Bartlett	June 12, 1795.
William F. Stone	September 13, 1821,
Caleb Hayden	April 1, 1846.

Mr. Hayden died April 6, 1865, and was succeeded by Charles B. Stevens, the present incumbent. The records of this office now fill 1477 volumes.

In 1855, a special registry was established for the city of Lowell and the towns of Northern Middlesex. The Registers for this Northern

*Although the letter y was used as the equivalent of th, the words in which it was so used were always pronounced in the usual way. "Ye" was pronounced as "the," "ym" as "them," etc.

Digitized by Google

District have been—A. B. Wright, 1855; Ithamar A. Beard, 1868, and Joseph P. Thompson, 1874. These records now fill 130 volumes.

JUDGES OF PROBATE.

James Russell,	appointed	June 18, 1692.*
John Leverett,	"	October 23, 1702.*
Francis Foxcroft,	"	July 8, 1708.*
Jonathan Remington,	"	September 30, 1725.*
Samuel Danforth,	"	December 20, 1745.*
John Winthrop,	"	September 6, 1775.
Oliver Prescott,	"	1779.
James Prescott,†	"	February 7, 1805.
Samuel P. P. Fay,	"	May 9, 1821.
W. A. Richardson,	"	April 7, 1856.

The office of Judge of Probate was superseded, in 1858, by that of Judge of Probate and Insolvency. William A. Richardson was appointed to the latter office July 1, 1858. He resigned, and was succeeded by George M. Brooks, the present incumbent, May 13, 1872.

*These five dates are "old style."

See Volume 193, General Records, in the Registry of Probate, pp. 1–5.

†He was removed from office in 1821 by impeachment for acts which, though proper to be prohibited by law in a Judge of Probate, involved no moral turpitude. Prescott was Chief Justice of the Court of Common Pleas from June 3rd, 1805, until that Court was abolished in 1811.

Digitized by Google

REGISTERS OF PROBATE.

Samuel Phipps,	appointed	June 18, 1692.
Thomas Swan,	"	October 23, 1702.
Nicholas Fessenden,	"	September 15, 1705.
Daniel Foxcroft,	"	December 28, 1709.
Thomas Foxcroft,	"	December 9, 1715.
Francis Foxcroft,*	"	July 3, 1729.
Samuel Danforth,†	"	July 9, 1731.
Andrew Boardman,	"	December 20, 1745.
Wm. Kneeland,	"	May 29, 1769
James Winthrop,	"	September 6, 1775.
James Foster,	"	May 26, 1817.
Isaac Fiske,	"	October 29, 1817.
Alonzo V. Lynde,	"	July 1, 1851.
Alfred A. Prescott,	"	March 10, 1853.

Joseph H. Tyler was elected Register of Probate and Insolvency, November 10, 1858, and reelected in 1863, 1868, and 1873, for the term of five years.

ASSISTANT REGISTERS.

The office of Assistant Register of Probate and Insolvency, created in 1858, has been filled as follows :—By Isaac F. Jones from January 1, 1859, till his death July 13, 1873; by Charles F. Brooks, from July 14, 1873, to Jan-

*Son of the Judge of that name.
†Afterwards Judge of Probate.

Digitized by Google

uary 21, 1874; and from thence by Samuel H. Folsom, the present incumbent.

SHERIFFS.

Timothy Phillips,	appointed	May 27, 1692.
Samuel Gookin,	"	October 23, 1702.
Edmund Goffe,	"	December 9, 1715.
Samuel Gookin,	"	December 12, 1728.
Samuel Dummer,	"	September 27, 1729,
Richard Foster,	"	July 9, 1731.
Richard Foster,	"	November 20, 1761.
David Phips,	"	March 7, 1764.
Loammi Baldwin,	"	1780.
Joseph Hosmer,	"	1794.
William Hildreth,	"	1808.
Nathaniel Austin,	"	1813.
Benjamin F. Varnum,	"	1831.
Samuel Chandler,	"	1841.
Fisher A. Hildreth,	"	1852.
John S. Keyes,	"	1854.
Charles Kimball,	"	1860.

COUNTY TREASURERS,

Ebenezer Bridge,	appointed	1787.
John L. Tuttle,	"	1808.
John Keyes,	"	1814.
Stedman Buttrick,	"	1838.
Amos Stone,	"	1855.

Digitized by Google

CLERKS OF COURTS.

Prior to 1790, Thadeus Mason held the office of Clerk of the Courts of Common Pleas and Quarter Sessions, together with the office of Register of Deeds. But in that year, these offices were wisely separated. Since then the Clerks of Courts have been as follows :—

Abraham Biglow,	1790.
Elias Phinney,	1832.
Seth Ames,	1850.
John Q. A Griffin,	1859.
James Dana,	1859.
Benjamin F. Ham,	1860.
Theodore C. Hurd,	1871.

In 1863, Marshall Preston, who had filled the office of Assistant Clerk ever since it was created, resigned, and John J. Sawyer succeeded him. John L. Ambrose was added as Second Assistant Clerk in 1874.

DISTRICT ATTORNEYS.

The office of prosecuting attorney is of modern origin. Why a public defender was not provided at the same time, it is dificult to understand. The Law, it is said, favors the accused; and there would seem to be even stronger reasons for the employment of a public defender, than for the employment of an

Digitized by Google

official prosecutor. It was, (naturally enough,) not without considerable opposition that the latter office became a fixed part of our judicial machinery.

On October 7th, 1807, Samuel Dana was appointed Attorney for the State in Middlesex, and he resigned October 14th, 1811, to take the place of Chief Justice of the Circuit Court of Common Pleas, then newly established in lieu of the old Court of Common Pleas.

The successors of Mr. Dana have been as follows:—

Timothy Fuller, - - - -	1811.
Asahel Stearns, - - - -	1813.
Asahel Huntington, - - - -	1830.
Albert H. Nelson, - - - -	1845.
Charles R. Train,* - - - -	1848.
Asa W. Farr, - - - -	1851.
Charles R. Train,* - - - -	1853.
Isaac S. Morse, - - - -	1855.
John B. Goodrich, - - - -	1872.
George Stevens, - - - -	1874.

The Province of Massachusetts had no sooner become a State than a reorganization took place in its judiciary. The Court of Com-

*Train was twice removed from this office: first by Governor Boutwell; and afterwards (having been reappointed by Governor Washburn) by Governor Gardner.

Digitized by Google

mon Pleas was deprived of its criminal jurisdiction in 1782, was reconstructed in 1811, and again in 1821 and finally superseded in 1859 by the Superior Court.

The General Sessions of the Peace, of which, from 1782 to 1811, all the Justices of the Peace in the County were members, exercised the criminal jurisdiction previously belonging to the Common Pleas, as well as the functions now performed by the County Commissioners. It was reconstructed in 1811, when Joseph B. Varnum of Dracut became its Chief Justice,* with four Associate Justices. Its criminal jurisdiction was taken from it in 1821; and in 1828 it was superseded by the County Commissioners, which board, it is to be hoped, is destined, at no distant day, to be abolished in its turn.

*He was succeeded in 1819 by Joseph Locke, afterwards Judge of the Police Court of Lowell.

Digitized by Google

ADVERTISEMENTS.

PRINTING!

Local Histories, Historical Sermons, Orations and Addresses, Town Reports, Books and Pamphlets, of all kinds, are printed by the

Penhallow Printing Co,

12 MIDDLE ST., LOWELL,

In the best style and at moderate prices. Also, Commercial and Financial Printing of every kind, Lawyers' Briefs, Blanks, and Legal Documents of every description.

CHARLES COWLEY,
COUNSELLOR AT LAW,

12 MIDDLE ST., LOWELL.

Digitized by Google

Army & Navy Claims,

Including Pensions for all surviving soldiers of the War of 1812, or their Widows, Pensions for soldiers disabled in the War of the Rebellion, Pensions for the Widows of Soldiers who died in the service, Bounties, Additional Bounties, Arrears of Pay, Prize Money, etc., etc., collected at the Army and Navy Claims Agency,

NO. 12 MIDDLE STREET,

LOWELL, MASS.

THE LOWELL BOILER WORKS,

Which, for many years, were located on Dutton Street, have been removed to WALDO STREET, on the FRAMINGHAM RAILROAD, under the management of the subscriber.

New and second-hand Boilers, Heaters, Shells, Flues, Tubes, etc., built, bought, sold or exchanged on liberal terms.

Address,—JOHN COWLEY,

No. 178 Lawrence Street, Lowell, Mass.

Digitized by Google

HISTORY OF MIDDLESEX COUNTY.

BY

SAMUEL ADAMS DRAKE.

If a sufficient number of subscribers are obtained to guarantee the publication without loss, we propose to issue at an early day, A HISTORY OF MIDDLESEX COUNTY, from the earliest times to the present day. It will contain a general history of the county from the first settlement, and will show the rise, growth, and progress of its Religious, Educational, Agricultural and Manufacturing interests; its participation in the stirring scenes at the outbreak of the Revolution, and its literary and intellectual life.

The work will also contain a carefully prepared epitome of the HISTORY OF EVERY TOWN IN THE COUNTY, compiled from original sources by the best informed persons, who have made an especial study of local history; the whole to be under the supervision of Mr. Drake. The Town Histories will form an especially valuable feature of the work.

The work will be published in two large royal octavo volumes, of about 500 double column pages each. The type will be clear long primer size. It will be printed on fine tinted paper at the celebrated University Press, of Cambridge, and will contain many fine illustrations engraved on wood and steel, and a full and carefully prepared index.

Price, Cloth, Bevelled, $7.60 per volume.
Half Morocco, Marbled Edges, $10.00 per vol.

Estes & Lauriat, 301 Washington St. Boston.

Digitized by Google

IN PRESS.

"TWO MONTHS IN LOWELL JAIL FOR WANT OF BAIL."

BY NATHANIEL ALLEN.

Containing the Experiences of an Innocent Man who was falsely accused of setting Fire to the Elevator Building in Lowell, January 20th, 1878, and held to bail by Judge Crosby upon the testimony of perjured witnesses: with Sketches of the Jail, the Jailer, and the Jail-Birds.

The Author is not content to tell the Story of his own Wrongs merely, but he seeks the Reformation of the entire Jail System.

Digitized by Google

ZION'S WATCHMAN

Is the title of a new evangelical undenominational monthly just started in Lowell by the Rev. C. E. Preston. It is printed by the Penhallow Printing Company in the usual handsome style of that establishment. It is long since Middlesex County could boast of a religious journal, and Zion's Watchman promises to be of historical as well as of religious interest. Parish histories are to be one feature of it.

Office, 342 Middlesex St. Lowell.

Terms, 50 cents per annum.

BOILERS FOR SALE.

One new 4 feet, horizontal cylinder boiler 16 1-2 feet long, with 50 tubes; one new 24 inch upright boiler, 5 feet long, with 24 tubes; one 30 inch, upright boiler, 7 feet long, with 35 new tubes; one 24 inch boiler, 10 feet long, with cast-iron heads; one 30 inch fire box boiler, 8 feet long, with 26 tubes.

Also, two 7 feet boiler shells, one 25, the other 17 feet long Also, one 30 inch heater, 8 feet long. Also, one large soap kettle, and two jacket kettles. Also, one double screw press, with 13 plates. Address John Cowley, 178 Lawrence Street, Lowell, Mass.

Digitized by Google

PENHALLOW PRINTING COMPANY.

12 MIDDLE STREET, LOWELL, MASS.

Benjamin H. Penhallow, the founder of this establishment, was born in Portsmouth, and was the descendant in the fourth generation from Samuel Penhallow who was born in Cornwall, England, in 1665, who immigrated to Charlestown, Mass., in 1686; who afterwards settled in Portsmouth, N. H.; who held the office of Chief Justice of the Superior Court of Judicature and other conspicuous public trusts, and who died in 1726. In the same year in which he died, his "History of the Wars of New England with the Eastern Indians," was published. It was republished in 1824, in the first volume of the N. H. Historical Collections, with a memoir of Judge Penhallow.*

Several of the early years of Mr. Penhallow's life were spent in the Sandwich Islands, and he established the first printing office in that Kingdom. In 1846, when thirty years old, he founded the PENHALLOW PRINTING ESTABLISHMENT in Lowell, which his skill and industry raised to a high place among the Book and Job Offices of New England.

*For the history and genealogy of the Penhallow Family see N. E. Historical and Genealogical Register, January 1878. pp. 21–35.

Digitized by Google

NEW COUNTY PUBLICATIONS.

LEAVES FROM A LAWYER'S LIFE AFLOAT AND ASHORE. By Charles Cowley. [In press.]

Among the many matters touched upon, more or less fully, in this book, are the Southern Blockade; Lord Nelson; Steamships; the Blockade-Runners; our Blockading Fleets in general; the South Atlantic Blockading Squadron in particular; Admiral Dupont; Admiral Dahlgren; Operations under their commands respectively;—Battle of Port Royal; Capture of the Sea Islands; Captain Small; Battle of Secessionville; General Stevens; General Hawley; General Pemberton; Colonel Lamar; Bombardment of Fort Pulaski; Capture of the Ram Atlanta; Commodore Ingraham's attempt to raise the Blockade of Charleston;—General Vogdes; Occupation of Folly Island; Battle between Dupont's Iron-Clads and the forts at Charleston; Storming of Fort Wagner; General Strong; Bombardment of Fort Sumter; Life in the Monitors; the Naval Pickets; Legal Questions growing out of the Blockade; Attempt to capture Fort Johnson, (which has not hitherto found a place in history.)

Digitized by Google

When the Army of General Sherman had "sung the chorus from Atlanta to the Sea," the Fleet of Admiral Dahlgren cooperated with him in various movements. These are recorded in this book, as well as the operations of the Fleet Brigade during the Broad River Expedition; the Battles of Honey Hill and Boyd's Neck; the capture of Savannah, Charleston, etc. Life in the Charleston Race-Course Prison is described; General Hardee; Senator Wilson at the graves of Calhoun and Hayne; the Freedmen; the Southern People; and many points are discussed touching the Law of Naval Courts-Martial.

Equally interesting are the "Leaves" from the author's life ashore, since the close of the War. He discusses Points in the Law of Patents; Marriage; Divorce; Divorce Bureaux, their Operators, and their Victims; Alimony; Libel and Privilege, and gives various Notable Cases.

Some, perhaps, will find more interesting matter in his Notes of Foreign Travel, especially those outside of the usual track of European tourists, in the Valley of the Severn, etc.

HISTORY OF CAMBRIDGE. By Lucius R. Paige.

An admirable history of the intended capital of Massachusetts, excellently arranged, and written with candor and impartiality. The sixteenth chapter contains interesting information touching the County Buildings in Cambridge. The Rev. Dr. Paige has made excellent use of the County records, as well as of the Colony and State records. The claim of

Digitized by Google

Mayor Green, which is countenanced by Dr. Paige, that Cambridge introduced into this State the system of graded schools, in lieu of the district system, will not stand the test of chronology. Judge Cowley says, Lowell adopted this system, September 3rd, 1832. Dr. Paige says, Cambridge adopted it on October 6, 1834. Compare Cowley's History of Lowell, pp. 104–105, with Paige's History of Cambridge, p. 377.

LOWELL HISTORICAL COLLECTIONS. [In Press.]

The Old Residents' Historical Society have published three numbers of their Collections. The fourth number will complete a volume. It is much to be wished that this Society, now so firmly established, would enlarge the sphere of its usefulness, and become a County Society; or, at least, admit to membership ladies and gentlemen of historical pursuits or tastes, without requiring residence for a quarter of a century in Lowell.

HISTORY OF DUNSTABLE. By Rev. Elias Nason.

This volume, which treats of the Massachusetts Dunstable, is a worthy companion for Fox's History of the New Hampshire town of the same name. The author's various works have established for him a bright reputation as a writer; but at page 56, we observe, he has fallen into error. The tragic death of Whitney, which he places "about" 1734, occurred full thirty years later, during the French and Indian War.

Digitized by Google

HISTORY OF BILLERICA. By Rev. Henry A. Hazen. [In Press.]

This book will be warmly welcomed by all who are interested in that ancient town—the mother of Tewksbury, (whose history the book includes,) and grand-mother of Lowell. Will no one undertake a similar labor of love for Chelmsford? or for Dracut?

BROWNE'S DIVORCE AND ITS CONSEQUENCES. Thoroughly Revised and greatly Enlarged. By Charles Cowley.

A lady, who is herself an excellent writer, says: "Browne's Divorce has thrilled me while reading it, with alternate emotions of exquisite pleasure and of real pain. I once heard Mr. Cowley make what is called the closing argument in a case where a man was charged by a woman with an indelicate assault. Mr. Sweetser had made a powerful appeal for the defendant, and had torn the character of the unfortunate plaintiff to tatters. It seemed a hard task indeed to reply; but Mr. Cowley proved more than a match for his antagonist. He thoroughly dissected the defendant in a manner which, merciless though it was, was felt to be just.

Heaven spare me from such a dissecting knife. It is no wonder that Browne gave up the ghost when this extinguishing delineation of his domestic life came before the world. The style is that of a master. There are passages worthy of Gibbon; there are others that resemble Macaulay; and there are spurts of wild rollicking fun, that make you roar as you read.

Digitized by Google

Withal, now and then, there are touches of tenderness that often compel tears. Is it possible that a writer of such refined sensibility deliberately polluted his bright, sparkling pages with a lascivious acrostic? Or was the Cubas sonnet inserted merely to show Browne's utter rotteness? Or, lastly, did it slip into the book without the author's discovering its half-concealed impurity?*

It reminds me, however, of Van Laun's criticism of Balzac: 'If we are shocked at times, it is by the revelation of the truth, not by the wanton creation of the writer; if we are disgusted, it is by ourselves or by human nature!'

Had the weird and wonderful Balzac read Judge Cowley's thrilling narrative, it would doubtless have presented to his vivid imagination the same mournful procession of ideas which, as he tells us, always filled his mind at the word Adultery:—'Tears, shame, hatred, terror, secret crimes, bloody wars, families without a head, were personified before me, and started up suddenly as I read the sacramental word, Adultery.'"

HISTORY OF LEXINGTON. By Charles Hudson.

"It is a town history; written for the town; published by the town. It is the plea of the town; in behalf of the town, in matters in which the town

*It was even thus. As soon as the wantonness of this sonnet was discovered, it was expunged. All the later editions are free from it.

Digitized by Google

is greatly concerned. What the town does not claim in this volume, therefore, cannot reasonably be claimed for the town hereafter."

So says Mr. Dawson, who pronounces it one of the very best of town histories. With his usual passion for criticism, referring to the events of April 19, 1775, Mr. Dawson ironically commends the effort of Mr. Hudson "to show that although his townsmen, after their blustering show of resistance, actually ran away, ingloriously, they did not do so without firing a single shot—the necessity of all which is apparent, since that could not be called a Battle in which all the firing was done by one of the parties and all the running by the other."

The same historical iconoclast declares that the Patriots at Lexington were "very much such a party as those with which the Chinese were wont to oppose the progress of the allies, when they, too, assembled by the way-side, sounded their horns, beat their gongs, and—*ran away.*"

SEMI-CENTENNIAL REPORT OF THE OVERSEERS OF THE POOR OF LOWELL.

This valuable collection of historical, statistical and legal matter in relation to the city farm, almshouse, work-house, reform school, insane hospital, and the care of the poor in Lowell, is the first report ever issued by this board. The changes in the organization of this important body and the names of all its members, are included. Annual reports are now issued. That for 1877 was prepared by Dr. Allen,

Digitized by Google

whose long experience on the Board of State Charities give weight to his suggestions. That for 1876 was written by Judge Charles Cowley, who prepared this semi-centennial report, and who also initiated the salutary change in the organization of this board, which was effected by the Revised Charter of Lowell, and which has since been followed in other cities.

HISTORY OF MARLBOROUGH. By Chas. Hudson.

The author's contributions to the history of his native town, Marlborough, and his adopted town, Lexington, as well as of the town of Hudson, which honored itself no less than him by taking his name, deserves the thanks of all who are interested in local history.

Mr. Hudson devotes much, but not too much space to the history of the Indian town which Eliot and Gookin established in Marlborough, and rather extenuates the conduct of the white settlers towards what the apostle Eliot called "the ruins of the red men" who were their neighbors; but we think the best way for the historian is to relate facts just as they occurred. History is not eulogy. The historian is a judge, and not an advocate.

As there never were any "Natick and Wamesit *tribes*," Mr. Hudson's statement, (page 53) that "the Indians at Marlborough were a branch" of those tribes, requires correction. If he means that they were a branch of the Pawtucket tribe, which rendezvoused where Lowell now stands, we should like to see the evidence of it.

Digitized by Google

MEMOIR OF EPHRAIM HEALD. By Ephraim Brown. [In Press.]

The career of Major Heald was as full of wild adventure and of peril as that of Daniel Boone or that of Colonel Crocket; and he was morally far superior to either of them All that was striking, perilous, romantic, or heroic in Middlesex County life in primitive times, is illustrated abundantly in him. As scout, trapper, hunter and pioneer, he had more varied and stranger experiences than any other frontiersman whose life has been recorded.

The author is the Major's grandson; and in his own career as an inventor and otherwise, he has displayed ingenuity equal to that which his grandsire exhibited in his contests with Indians, moose, bears, and panthers.

THE WRONG LAWYER DISBARRED; OR FRAUD IN THE COURTS EXPOSED. By Causidicus.

Ten years ago, John D. Howe was disbarred. About the same time, Samuel J. Randall was also disbarred. Henry C. Hutchins's conduct in connection with the Browne Divorce has for some time been under consideration by the Judges of the Supreme Court. Thus far he has been spared; but John F. Dearington, whose case was brought before the Court "on the same day" with that of Hutchins, was disbarred; and this pamphlet states the causes. The petition of George C. Browne, which is here printed in full, is one of painful interest.

Digitized by Google

Causidicus argues that, "compared with the mal-practices of Dearington, the offence of Hutchins was as a mountain to a mole hill." But although Middlesex County, especially Newton, was formerly the theatre of the Browne family's pranks, the Suffolk Bar Association, (if it has any higher purpose than eating and drinking) would seem to be the body that ought to move upon Mr. Hutchins's works. Who is Causidicus? People who read the Rev. B. F. Clark's pamphlets on the controversy between George F. Farley, Asahel Huntington and Samuel Parker, have surmized that Mr. Clark is Causidicus; but he is not.

CYCLOPÆDIA OF MARRIAGE AND DIVORCE: COMBINING LAW, HISTORY, POETRY, AND BIOGRAPHY. By Charles Cowley. [In Press.]

Designed to embody the Elements of Law, the Romance of History, the Gems of Biography, and the Pearls of Poetry. In this Cyclopædia as in human life, Tragedy is interwoven with Comedy; blood and tears, with mirth and joy.

HISTORY OF LOWELL. By Charles Cowley. Second Revised Edition. Illustrated.

Town histories are of the most useful of literary productions, though they seldom bring to their authors much fame, or any emolument. Mr. Cowley's labors are of an exceptional character, as his very entertaining volume has proved an entire success, and gained for him an enviable position among our best known writers. This is in part due to the good

Digitized by Google

fortune that was his in having so fair a subject upon which to labor. Lowell has an unparalleled place in the history of New England's larger communities. The singularity of her origin, marking as it does the opening of a novel and a mighty form of American industry; her rapid growth in numbers, wealth, and reputation, so that her name quickly became known to remote peoples, who knew hardly more of America than that it contained Lowell; the activity, the intelligence, and boldness of her population, embracing, as it does, almost every form of mental and physical power, because conscripted from numerous localities; the political weight of her leading men of all parties, and their daring action at important crisis; the enlightened and practical patriotism of her people during the late war;—all these things, and others that might be mentioned, combine to make of Lowell one of the most interesting subjects on which a man of good talents could wish to concentrate his time and attention.

Such a man is Mr. Cowley, and it is the simplest justice to say, that his history of the place of his residence owes much of its unquestioned excellence to his capacity to treat of public affairs in a vigorous and vivacious manner. His style is clear and strong. He has labored most industriously and honestly to bring together, within reasonable compass, every thing that can illumine the history of the opulent and energetic community of which he writes, and he places that history before his readers in a very attractive manner.

Digitized by Google

Such another collection of facts in illustration of the origin, growth, and character of what is in its way a model city, it would be impossible to find. Not a fact of importance is omitted, and there is a great deal told that will be of the first usefulness to the historian of modern Massachusetts, if such an historian she is ever to have. There is much that relates to individuals, men of note,—as Kirk Boott, Dr. Ayer, Gen. Butler, Mr. Warland, W. S. Robinson, "Warrington," the Abbotts, George Wellman, Thomas Hopkinson, General Schouler, John P. Robinson, B. W. Ball, and others, and this sort of reading is much liked. Lowell's part in the civil war, which does her the utmost honor, is faithfully and minutely told. He can speak with decided effect on this branch of his subject, as he served himself, and had the honor of being wounded in one of those bitter and bloody engagements which took place near Charleston in the last year of the war, in which so many good lives and so many useful limbs were sacrificed to little purpose.—*Hon. Charles C. Hazewell, in the Boston Traveller.*

THE CASE OF CHARLES COWLEY *vs* CHARLES R. TRAIN, WILLIAM F. SLOCUM AND LAWRENCE MCLAUGHLAN.

This remarkable case has been printed for the use of the Legislature, the Suffolk Bar Association and the Supreme Judicial Court, in which it is now pending. It is painful enough to read that the Attorney-General of Louisiana has been indicted for

Digitized by Google

murder in his own Parish. It is more painful to see the Attorney-General of Massachusetts accused of the crimes which are here alleged against him and William F. Slocum. Train was once District Attorney for Middlesex. He has also represented this County in the General Court and in Congress. Slocum was once Trial Justice at Newton. He was one of those magistrates who pocketed the moneys paid to them for fines and forfeited recognizances and whose "irregularities" were exposed by the Legislative Committee on County Frauds,

The public have an interest in it for the further reason, that it is contended in behalf of Train and Slocum, that, as the attorneys of the Rev. Joseph B. Clark, they were *privileged* to suborn Minon, Smith, McLaughlan and other witnesses to commit perjury.

FAMOUS DIVORCES OF ALL AGES. By Charles Cowley.

Divorces are morally, if not legally, the most interesting branch of Criminal Jurisprudence.

"The Annals of Criminal Jurisprudence," says Edmund Burke, "exhibit human nature in a variety of positions, at once the most striking, interesting, and affecting. They present tragedies of real life, often heightened in their effect by the grossness of the injustice, and the malignity of the prejudices, which accompanied them. At the same time real culprits, as original characters, stand forward on the canvas of humanity as prominent objects for our

Digitized by Google

special study. I have often wondered that the English language contains no book like the *Causes Celebres* of the French, particularly as the openness of our proceedings renders the records more certain and accessible, while our public history and domestic conflicts have afforded so many splendid examples of the unfortunate and the guilty. Such a collection, drawn from our own national sources, and varied by references to cases of the continental nations, would exhibit man as he is in action and principle, and not as he is usually drawn by poets and speculative philosophers."

THE PILGRIM FATHERS. Oration delivered before the City Council and Citizens of Lowell, December 22, 1876. By Hon. John A Goodwin.

This oration contains many facts of Pilgrim history which could not be found elsewhere, without referring to perhaps a dozen authors, each differing more or less from all the others; and some facts that could be found nowhere else. It is *monumental* to the author, and creditable to his associates in the City Council, at whose invitation it was spoken.

Four historic visits were made to Plymouth, prior to the coming of the Pilgrims, which Mr. Goodwin does not mention. They were made as follows:—by Gosnold in 1602; by Pring in 1603; by Champlain in 1604; and by Captain John Smith in 1614

HISTORY OF WOBURN. By Samuel Sewall.

The venerable author carefully narrates the history of one of the most important towns in Middlesex County from 1640 to 1860. The town of Burlington being an

Digitized by Google

off-shoot of Woburn, her history is included it that of her municipal mother. Mr. Dawson has noticed, in his Historical Magazine, that Edward Johnson, one of the founders of this town, has been strangely confounded with an illiterate carpenter who, also, is said to have settled in Woburn, about 1637; as well as with a third person of that name, a resident of another Colony, who very probably wrote The Wonder-working Providence. And he says, "There is no more reliable evidence of the truth of this portion of the narrative than there is of the truth of Sinbad the Sailor."

INDIAN AND PIONEER MEMORIES OF THE REGION OF LOWELL. By Charles Cowley.

The work is really the history of Lowell before Lowell was, and shows how much of interesting matter there is to be told of that important section of country, ere cotton had been ginned at the South, or cottons manufactured at the North. We are glad to see that Mr. Cowley does justice to the Indians, a race vilely used by the whites, who generally libel those whom they trample upon or destroy. Often rising to eloquence, just in its opinions, and abounding with facts not easily to be obtained, Mr. Cowley's pamphlet deserves high praise; and we should think it might be usefully extended into a larger and more elaborate work.—*Boston Traveller.*

SEMI-CENTENNIAL CELEBRATION IN LOWELL.

The pamphlet entitled, "Proceedings in the City of Lowell at the Semi-Centennial Celebration of the Incorporation of the Town of Lowell, March 1, 1876," contains materials of great value to the student of local history and biography. It was one of the first of the series of historic documents printed by the Penhallow Printing Company under its present organization. That portion of General Butler's oration (pages 37–41) in which he des-

Digitized by Google

cribes Lowell as he first saw it, from the summit of Christian Hill, in 1828, will be read with a keener interest hundreds of years hence than it is now. It is as true to life as is the outline of himself—"a slender boy of less than ten years, with a foxskin cap closely drawn over his ears, linsey-woolsey jacket tightly buttoned to his throat."

It is to be regretted that General Butler could not spare the time for a careful revision of this oration. Not a line of it was written with a pen; but the words were dictated to his type-writer as he paced his room, when the beloved companion of his life was approaching her end, and when he was never more burdened with public and private labors and cares. It was his intention that the fifth paragraph on page 37, should read thus:—

"To the left, a group of huts, part with mud walls roofed with slabs, with here and there a small white frame house near them, stood at a place called the 'Acre' (which afterwards became the subject of an almost interminable litigation) surrounding the spot where now the magnificent edifice of the first Catholic Church rears its illuminated cross for the adoration of its worshippers."

MARITIME INTERNATIONAL LAW. By John A. Dahlgren, late Rear Admiral, U. S. Navy. Edited by Charles Cowley, of the Massachusetts Bar, formerly Judge-Advocate on the Staff of the Author.

These notes were left in an incomplete state, but they have furnished the basis for a very excellent practical treatise upon those parts of international law that naval officers have to do with. The work of the editor, who has given the treatise its finishing touches, is thoroughly well done, and we know no volume in which the topics mentioned are more carefully considered. These topics are: Law of Blockade; Contraband of War; Visitation and Search; Duties of Naval Commanders on Foreign Stations.—*Albany Law Journal.*

Digitized by Google

A CROSBY FAMILY. By Hon. Nathan Crosby.

An admirable monograph on an old Middlesex County family of excellent repute. Another Lowell gentleman, Mr James S. Russell, has in preparation a genealogy of the Russell and Potter families.

THE DIALOGUES OF PLATO WITH SOCRATES AND CRITO. Literally Translated by John Curran-Keegan. [In Press.]

These two dialogues—one on Friendship, the other on Citizenship—have borne a high reputation for two and twenty centuries, and have been repeatedly translated by "able hands."

Mr. Keegan is a grandson of the famous Irish orator, John Philpot Curran, and graduated with honors at Trinity College in his native city, (Dublin,) in the class of 1877. He is now preparing for the Middlesex Bar, where he will give a good account of himself.

The special merit of his translation of this classic is that it is literal, and peculiarly adapted to beginners in Greek. Lowell, which had the honor to publish the first American edition of Gœthe's Faust, is about to present through the Penhallow Printing Company, the first American translation of Plato's most famous work.

THE BURNING OF THE CONVENT. By Louisa Whitney.

This is strictly a Middlesex County book, by a Middlesex County Lady. The same fleet which brought to the British North American Colonies the Army of Count Rochambeau to aid in the War of Independence, also brought over a body of Irish Nuns, who had been educated in French Convents, to keep a boarding school for the children of the more wealthy of the Colonists, the children of Protestants being preferred. These Nuns finally established themselves in a Convent on Mount Benedict

Digitized by Google

in Charlestown. On the night of August 11th, 1834, that Convent was destroyed by a mob, and the Author relates how it was done.

The convent had stood fourteen years. In connection with Mrs. Whitney's sprightly narrative, one should not fail to read Mr. Froude's "Annals of an English Abbey," in the third series of his Short Studies on Great Subjects.

EULOGY OF HON. TAPPAN WENTWORTH. By Nathan Crosby.

Judge Crosby's affectionate tribute to the memory of his friend is full in its details of his *early* life, but less so touching the incidents of his later career. The notorious ballot-box frauds, by which William H. Loughlin was foisted into the seat in the House of Representatives, which unquestionably belonged to the subject of this well merited eulogy, might well have been adverted to by the learned Judge. But still, he may have been wise in studying "the things that make for peace."

Mr. Wentworth was the legal adviser of Miss Rogers, when she made that public-spirited offer to the city of Lowell, of the gift of Fort Hill, which the short-sighted city government of that day rejected. It is unquestionable, that the disgust excited in Mr. Wentworth's mind by the blindness of that blundering body, found expression in his will, in which Dartmouth College is magnificently remembered, and Lowell is remembered to be forgotten.

It is to be hoped that, "in the sweet bye and bye," of which Moody and Sankey so often sing, (if not sooner,) Miss Rogers will renew her generous offer, and that the city will promptly accept it. Fort Hill should be made a Rogers Park, planted with noble trees, and laid out in beautiful walks. Its summit should be crowned with a bronze equestrian statue of General Butler as he appeared, on the grandest night of his eventful life, when he took possession of Federal Hill in Baltimore.

Digitized by Google

HISTORY OF GROTON. By Samuel A. Green.

Butler's History of Groton is so excellent a book, that none but a very learned, or a very presumptuous man, can be expected to add much to Butler's contributions, or to correct his many errors. Dr. Green has given so many proofs of his unwearied industry, his exhaustive researches, and his sound judgment, in matters of history,—notably, in his Centennial Oration at Groton, —that we look for a rich treat from him in this work.

HISTORY OF CONCORD. By Frederick Hudson.

It is devoutly to be wished, that this work may shortly be published. It is true that Shattuck's History of Concord (which included Bedford, Acton, Lincoln, and Carlisle) is one of the very best local histories that have come down to us from the last generation. But no man like the late Mr. Hudson could travel the long path of old Concord's history without finding many new facts, and presenting many old facts in new and striking lights, besides enriching his pages with many admirable reflections and suggestions.

We are happy to learn that the work was in a state nearly complete, when the terrible accident took place, by which the author lost his life.

From 1692 to 1859 Concord was a shire town of Middlesex, and regular sittings of the courts were held there. The first court house in Concord was built in 1719; the second was built in 1794 and burned in 1849; the third, (now occupied by the Middlesex Mutual Fire Insurance Company,) was built in 1851.

While the Courts were held at Concord, many memorable trials took place there—such as that of Job Shattuck, one of the leaders in Shay's Rebellion, in 1787; that of the rioters who burned the Ursuline Convent at Charlestown in 1835; that of the Phœnix Bank swindlers in 1842; and that of Samuel Parker in 1848. The only

Digitized by Google

man ever put to death in Concord by sentence of the law, was a burglar named Smith who was hanged, at the commencement of the present century, by Sheriff Hosmer.

MEMOIR OF JAMES C. AYER. [In Press.]

The Phrenological Journal has lately published a brief but excellent memoir of Nathan Allen, M. D., LL. D.

The forthcoming volume of Lowell Historical Collections will contain an autobiography of John O. Green, M. D., President of the Old Residents' Association.

Dr. Ayer was never a practicing physician like Drs. Allen and Green; but the immense fortune which he accumulated, the world-wide business which his enterprize built up, the radical reforms which he, more than any other man, effected, in the management of the great manufacturing corporations of Lowell, and indeed of all New England, and the prominence in which he stood (though in a private station) before the community for many years,—all call for the preparation and publication of some record of his active and eventful career. The malady from which he is now suffering, being probably incurable, his name no longer appears in its accustomed place on the numerous manufacturing and banking corporations in which he was a large proprietor, and he has not been seen at any public assembly in Lowell since the celebration of the semi-centennial anniversary of its incorporation, March 1, 1876.

Except that his uncle, Mayor Cook, gave him fatherly counsel in the years of his boyhood after his own father died, and excepting a little help from his father-in-law, Senator Southwick, in a critical period of his life, Dr. Ayer is the sole architect of his own fortune. In his later life, he has had able lieutenants, but they have been of his own training. Moreover, he has had none of the avenues opened to him, through which the common herd

Digitized by Google

of public men pass to distinction. The doors of Congress, opened to hundreds of the most mediocre creatures that ever brayed, were closed to him; though he would have won in the canvass of 1874, but for the discredit into which his party had fallen by its blind and blundering dealings with the South.

The salutary measures of legislation touching the corporations, which were passed in consequence of the agitations started by him, were passed without his personally entering the legislative halls. Lowell, which year after year, for thirty years, sent her annual quota of hoodlums to the General Court, left the genius of Dr. Ayer to create its own opportunities; and as one of the results of all this, his name is familiar in hundreds of cities where Lowell is known only as the place where Ayer's Almanac is printed, and Ayer's medicines prepared.

THE WRONG MEMBER OF THE MIDDLESEX BAR CONVICTED OF PERJURY. By Rev. B. F. Clark.

This pamphlet, which first appeared in 1848, is about to be republished with a commentary on the case. The author gives pretty good reasons for the belief that the late George F. Farley should have been convicted of perjury, instead of Samuel Parker, who, however, was finally acquitted. Rufus Choate, Albert H. Nelson, Edward Mellen, Asahel Huntington and Charles R. Train, all figured prominently, (some of them not at all creditably,) against Mr. Parker, and Franklin Dexter, John P. Robinson, Charles Allen, and Benjamin F. Butler for him. It was one of the first cases in which Mr. Butler's genius shone conspicuously. The conviction of Judge Prescott on articles of impeachment, and the conviction of Mr. Parker on the trumped up charge of perjury, were the two greatest judicial outrages that have occurred in Middlesex since the hanging of the witches.

Digitized by Google

MEMOIR OF JOSEPH B. VARNUM.

It is almost sixty years since Joseph Bradley Varnum, by far the most conspicuous figure in Northern Middlesex during the Revolutionary and Post-Revolutionary periods of our history, was buried "under arms," on the banks of the Merrimack River. By the public at large, he is well nigh forgotten; by historical students, he is known only as a member of either branch of Congress—as Speaker of the House, and as President pro tem of the Senate. But the effect of his impact on the politics of Massachusetts was very great for more than thirty years; and in County affairs more particularly he exercised a controlling power. As a Legislator, as a General and as a Judge, his life will well repay a perusal, and we are happy to know that one of the most competent of his numerous grandsons, now a citizen of Missouri, is engaged upon this work.

REPORT OF THE COMMITTEE ON COUNTY EXPENDITURES.

This report, made three years ago, contains exposures of corruption and long-continued, systematic embezzlements, by numerous county officers, which are perfectly astounding. We have had Trial Justices as arrant knaves as the prisoners upon whom they passed judgment. Some of our District Attorneys and Clerks of Courts have been no better. This report was prepared by W. C. Parker, Jr., of New Bedford, and the friends of "Retrenchment and Reform" can do no better than republish this report, with appropriate notes and comments. Those officers who, while others were wallowing in corruption, kept their own feet in the straight and narrow path of honor and probity, deserve the highest praise; while the "corruptionists" should be dealt with unsparingly. In this respect, it is gratifying to know that the Police Court of Lowell has been a pattern court. All moneys

Digitized by Google

paid by defendants or their sureties for forfeited recognizances in this Court, have actually reached the County Treasury, and the Court is a source of income to the public, instead of being the public burden which too many similar tribunals are.

THE UNWIGGED JUDGE: OR DEBAUCHERY UPON THE BENCH.

A well known member of the Middlesex Bar is credited with having in preparation a story under this title, founded on certain incidents in the life of a libertine who was at one time Judge of the Police Court of Boston. The book will doubtless relate the attempt to extort from Vice-President Wilson the Consulate at Naples as "the price of peace" touching certain old scandals about him. This "operation" is mentioned in a note to Cowley's "Famous Divorces of All Ages."

Other scenes there are, worthy of the pen of another Hawthorne—particularly that where the judge sentences to the House of Correction the frail Carrie whom he has himself debauched and ruined; and that where, upon an official visit to the Girls' Reform School, the ermined scoundrel meets, face to face, his own little cast-away, foundling daughter.

LIFE OF BRIGHAM YOUNG.

The late President of the Church of Jesus Christ of Latter Day Saints was unquestionably the most extraordinary man ever born in Middlesex County. Another son of old Middlesex now purposes to publish his Life. Some delay, however, is inevitable, on account of getting many facts required to make the book complete; especially those relating to his missionary labors in his native county nearly forty years ago. Another missionary, Elder Cummings, afterwards organized a branch of the Mormon Church in Lowell.

Digitized by Google

Digitized by Google

Digitized by Google

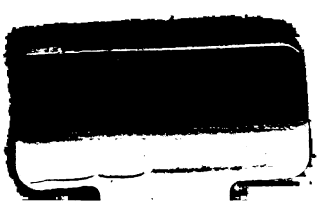
Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

AUG 2 7 1974



Digitized by Google